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*No man who hath tasted learning but will confess the many ways of profiting by those who not contented with stale receipts are able to manage and set forth new positions to the world and were they but as the dust and cinders of our feet so long as in that nation they may yet serve to polish and brighten the armoury of truth even for that respect they were not utterly to be cast away —MILTON*

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# CALCUTTA REVIEW

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4 *Anatic Researches, Vol XV*  
5 *Selections from the Records of the Bengal Govern-  
ment No III*  
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THE past and the present of Orissa Proper or Cuttack is a subject which possesses at the present day a strong and a peculiar claim on our attention. Beyond that interest which intrinsically belongs to this ancient and important province, the interest which the historian, the statistician and the politician, evince in the decay of old and the development of new institutions, the famine which is devastating every part of that province has invested it with a new and a fearful interest.

Orissa Proper or Utkala Desa as the "*Skanda Purana*" at the head of this paper calls it formerly reached on the north to Tumlook, and on the south to the Rasykoyla river, as far as Ganjam on the east to the river Hooghly and on the west to Sumbulpore. It was originally peopled by the *Odra* tribe which subsequently expanded into the Ooria nation that carried their name and language over an immense tract of country, embracing the modern districts of Cuttack, Midnapore, Ganjam, Vizigapatam, Hooghly and Raymundry, but on the annexation of Orissa to the Mogul

Empire during the reign of Akbar, Midnapore Hooghly and the other dependent mehals were separated from it, and amalgamated with the soubah of Bengal

According to Puranic authorities Utkal K'hand is the most favoured region of the earth. It is declared to be the seat of the Rishis and Mohurshis Gondhorbus and Devatas. It abounds in temples and is redolent of sanctity. It is an entire *Tirth* or sacred place. It is the one spot in the Kaliyuga which is dedicated to the gods. It is the favourite abode of holy Brahmins and learned Pundits. It is an *oasis* in the vast and illimitable desert of sin. Bharduaya Moni thus describes it to his pupils — Of all the regions of the earth Bharata K hand is the most distinguished and of all the countries of Bharata K hand Utkala boasts the highest renown. Its whole extent is one uninterrupted *Tirth* (place of pilgrimage). Its happy inhabitants live secure of a reception into the world of spirits, and those who even visit it and bathe in its sacred rivers obtain remission of their sins though they may weigh like mountains. Who shall describe adequately its sacred streams its temples its khetrts its fragrant flowers and fruits of exquisite flavour and all the merits and advantages of a sojourn in such a land? What necessity indeed can there be for enlarging on the praises of a region which the Devatas themselves delight to inhabit?

Orissa owes its classic celebrity purely to its sanctity. It is the great place for pilgrimage. What Jerusalem was to the Jews what Mecca is to the Mahomedans Pooree is to the Hindus. When in 1580 Siva Jey Sing the generalissimo of Akbar, conquered the country for his master he was dazzled by the grandeur of the place and exclaimed that the country was not a fit subject for conquest and schemes for human ambition but belonged only to the gods. The Oorias like the Bedouins and the Peruvians worshipped at one time the sun and the magnificent remains of the Black Pagoda or the shrine of the sun of temples and minars, of grand palaces and colossal figures in a state of dilapidation with which Orissa is studded attest her departed greatness. The shrine of the grim Juggurnath attracts during the Rath Jatra, or Car Festival in July thousands of men from all parts of India. Originally an incarnation of the Bhuddist faith Juggurnath has been long impressed into the service of Hinduism and has now become an object of devout worship. According to the Kapila Sanhita and the *puithes* of the pandas, Juggurnath had from time immemorial dwelt on

the *Nila chala* in the form of *Nil Madhaba*. The reputation of this incarnation was world wide, and moved the Maharajah of Orjein to proceed to Orissa and offer his adorations to him. He accordingly marched to the spot with a large following but on his arrival his Highness was grieved to learn that *Nil Madhaba* had left his earthly abode. This sad intelligence overwhelmed the Maharajah with affliction, until consolation came to him in the shape of a vision of the god. The vision told him, that although he had abandoned his former image he would soon reappear as a new *avatar* even that of the *Daru Brahmá*. The vision had scarcely vanished into thin air, when a messenger came and informed him that he had seen a *Daru* or log of wood of the Neem tree floating to the shores of *Pursottem Chet* decorated with the *Shankah Goda Pudma Chakar*, being the several emblems of *Vishnu*. This message poured balm into the bruised mind of the Maharajah. He ran to the sea shore, and was entranced with the beautiful and the divine appearance of the log. He prostrated himself before it and after offering to it his heartfelt adoration he deposited it in a temple. *Bishukerma* was then as now the chief architect of the *Devatas*. Him the Maharajah employed to carve and mould the sacred *Daru* into the image of *Vishnu* but no sooner had *Bishukerma* touched it with his axe than it split of itself into the images of Juggurnath, Bullonam and Suvodra. The Maharajah then erected a magnificent temple and placed the images there. He inaugurated the new worship with the greatest *éclat* and in the presence of *Indra* and his court. With the establishment of that worship commences a new era of Hinduism. Since that period, Orissa has acquired a celebrity such as neither Benares nor Brindaban can boast of. It was in Orissa that the Hindu reformer, Chaitanya after having travelled for six years in Brindaban and other places settled and remained twelve years worshipping Juggurnath with all the intensity of his nature. Greater merit is attached to the worship of Juggurnath than to that of other *Devatas* because Juggurnath is identified with *Brahmá* or the Great Power the Creator and Preserver of the Universe. The following passage in the legendary account of the temple and frequently quoted by the Ooria pandas attached thereto will support this view.

‘Hear now the truth of the *Daru Avatar* (the appearance of the deity in the form of the Neem tree log)  
 ‘What part of the universe is there which the divine spirit  
 ‘does not pervade? In every place it exults and sports in

“ a different form In the heaven of Brahmá it is Brahmá  
 “ at Kylas it is Mahádeo in the upper world it is Indra  
 “ on the face of the earth it is to be found in all the  
 “ most renowned Khetrs, at Baddrika, as Badrínath at  
 “ Brindabun and Dwarka as Krishna, at Aujodhya (Oude)  
 ‘ in another shape but in the Khetr of Pursottem it appears  
 ‘ in its true and sacred form ’

This “true and sacred form” is a very grotesque one, and a very distant approximation to the human form. But the intelligent pandas try to explain away this deformity by arguing that they worship in Juggurnath not any inferior Devata but Brahmá or the great spirit, and that the images are shapeless or rather hideously shaped, because the *Vedas* describe the supreme Being as *niracar* or formless and that the hideous countenance is assumed to frighten people into being virtuous. Juggurnathism, whether it be a federative religion or not, has however one merit it maintains the pre-eminence of faith over caste and teaches that divine mercy regards neither tribe nor family. It scouts the distinctions of caste as violations of the laws of God who intended that all men should be equally entitled to enter his kingdom. It therefore permits the Brahmin and the Chundal to eat off the same plate. The *mohaprosad* or food prepared for and dedicated to, Juggurnath, is considered very satisfying and sanctifying. It is often partaken by men of different castes under the same roof, and at the same table. But whatever Juggurnathism may be in theory it has degenerated in practice into a gross and demoralising idolatry. The abominable exhibitions which take place annually during the *Ruth Jatra* afford a melancholy illustration of the prostration of mind caused by superstition.

The religion of the people and the conformation of the country have alike conspired to render it the most backward province in the British Empire, the real Sleeping Hollow in the dominions of the Queen. Though rich in sanctity, it is poor in regard to its natural productions. Its supposed spiritual wealth is more than counterbalanced by its real temporal poverty. Cursed with a sterile soil, its products are of an inferior quality. It produces little beyond what is required for local consumption, and that little cannot be utilized by exportation for want of roads. Immersed in the darkness of superstition and ignorance deprived of prolific sources of production and of extended means of intercommunication the inhabitants of Orissa rank very low

in the moral, mental, and social scale. They are described by the author of the "Ain Acber" to be a very effeminate and stupid nation. Indeed as regards want of manliness what the Bengalees are to the inhabitants of the Upper Provinces the Oorias are to the Bengalees. Deficient both in spirit and intelligence they may well be denominated the Boetians of Bengal. The circumstance of all the public offices being held by Bengalees, affords conclusive evidence of their intellectual inferiority. They are not only a timid and ignorant but a dissolute race. This combination of vices is in a great measure attributable to the debasing and demoralising religion which they profess. The Utkala Brahmins from whom the class of *pandas* or temple priests is recruited the *Beds* or *Vadya*, the *Maini* or writer class constituting the upper ten thousand of the Ooria community, are distinguished by their national vices. But the mass of the agricultural population are industrious and comparatively virtuous though they are equally wanting in spirit intelligence, and enterprise.

Yet Orissa has not always been what it is now. Three centuries ago it was the seat of a prosperous and powerful monarchy, inhabited by an industrious population and teeming with the varied productions of nature. The banks of the Mahanuddee were studded as thickly with evidences of wealth and civilization as those of the Ganges but the country collapsed and crumbled to dust beneath the blows of foreign conquerors. Moslem and Mahratta domination converted this garden into a wilderness. Alternate drought and inundation resulting in pestilence and death have aggravated the evils of misgovernment. On the 14th of October 1803 Lieutenant Colonel Campbell conquered Cuttack for the British Government. Lord Wellesley, the then Governor General determined on administering the new conquest not according to the revenue system inaugurated by Lord Cornwallis, but according to the system of periodical settlements for eleven years as a basis for a permanent settlement thereafter 'according to the Regulations in force for the settlement and collection of the public revenue in the province of Bengal "with certain modifications and exceptions."

In Orissa Proper as in the rest of Bengal rice is the great staple food and the principal article of produce. The grain is coarse but nutritious. It is regarded as far inferior to the best *balam* of Bengal. The two great rice crops of Orissa are denominated the *sarod* and *beals*. The *sarod* is sown in June, when the rains set in, and is harvested in December. The *beal* is sown also in June,



but is reaped in the middle of September. It requires higher land which becomes available for the growth of the *rubbee* crops in the cold weather. Of these crops the *mashkali*, *chinmikhassari*, *moogh*, *bajra*, and *sorsah* are the principal. Sugar cane, tobacco, and cotton are very abundant, but the produce is of a very inferior description. Indigo, mulberry and poppy, which have largely contributed to the agricultural wealth of Bengal and Behar are unknown in Orissa. Even the common betel vine or *pan* was not known to the Orissas till the culture of it was introduced amongst them by some Bengalees during the Mahomedan administration. Both soil and climate are no doubt unfavourable to the growth of the most valuable products of agriculture but much of the apparent inferiority is to be attributed to the general poverty and the dense ignorance of both the ryots and zemindars of Orissa. They are as yet innocent of that knowledge of the principles of agriculture, which can alone turn their properties to the best account and would exert the most beneficial influence upon their prosperity. 'Perfect agriculture,' says Leibig the profoundest of modern agricultural chemists 'is the true foundation of all trade and industry,—it is the foundation of the riches of states. But a national system of agriculture cannot be formed without the application of scientific principles for such a system must be based on an exact acquaintance with the means of nutrition of vegetables and with the influence of soil and the action of manure upon them.'

The practice of subdividing estates has also been instrumental in checking the development of the agricultural resources of this province. It has been carried to such an extent, that there are some estates in Cuttack on which the Government demand is no more than a few annas. The evil has been intensified by that of short settlements. The history of these settlements is the history of Orissa during the British administration. They afford the real clue to the present condition of the people and therefore demand a lengthened description which we shall presently attempt to give.

The province contains three chief towns namely, Pooree, Balasore, and Cuttack. Pooree is the growth of Juggurnathism and derives its importance from its connection with the temple. It contains more than six thousand houses, and its streets are lined by *mutts* or religious establishments. It abounds in filth and is periodically crowded by pilgrims, but its suburbs are beautified by gardens and tanks, and are considered very salubrious.

Balasore is not a compact but a straggling town. The population may, on a rough calculation, be estimated at twelve thousand souls. Balasore is the principal port of the province, and is provided with dry docks. It was at one time the seat of manufacturing and commercial activity, carrying on a considerable trade in sennas and muslins, oils and drugs. It owed its importance to the facilities of its position for carrying on commerce with Bengal.

Cuttack may be regarded as the representative capital of the province. It contains a population of about thirty five thousand souls, and boasts of several brick built and stone houses. It is provided with several large and commodious bazaars and chowks called after the classes who reside in their vicinage such as the Ooria and Telunga bazaars. The Chandney Chowk is however the best of them. It is also studded with temples dedicated to Ram, Krishna, and other divinities.

The manufactures of these towns are very inconsiderable. The calicoes of Balasore which were once much prized are no longer in demand, and the manufacture has almost ceased. The filigree silver works of Cuttack are however still valued and evince great elegance of design and fineness of finish. Coarse dhooties only are manufactured for local consumption. Piece goods, silk and everything in the shape of luxury are imported from Bengal Proper but in small quantities, and chiefly by the inhabitants of the chief towns and their suburbs. One principal reason why the manufactures as well as the agriculture of this province are at such a low ebb, is to be found in the narrowness of the wants of the people. They produce little and consume little. They do not need much and their motives to exertion are but few. Dhooties and Chadders constitute their wardrobe. Dâl and Bhât their food, and Handees and Lotâs their furniture. The belongings of the rajahs and poligars may embrace more articles, but even their style of living is exceedingly primitive. Another cause of the stagnation of agriculture and commerce is the state of isolation in which the Oorias live. The want of intercommunication and the consequent difficulty of conveying the produce have materially interfered with the development of the resources of the country. Agricultural improvements would be useless, where the surplus produce would be valueless, because it would not pay to convey it to the market.

We now proceed to speak of the settlement of the land revenue of this province. We have already said that short

settlements have been her curse. Though the evils incident to them, have, in a considerable degree, been mitigated by the Thirty Years Settlement of Mr A J Moffatt Mills yet we have no hesitation in declaring our conviction that the postponement of the Permanent Settlement has been very disastrous and a prolific source of heart-rending misery. It appears that when the first settlement was effected, the standard proposed for adoption was the average of the Mahratta gross collections of preceding years, *minus* certain illegal cesses but this proposed average was in point of fact exceeded, and the sudder jumma was unjustly enhanced and unequally distributed, without any reference to the circumstances of the estates or the amount of their actual assets. The evils arising from the enhancement of the total assessment and its unequal distribution attracted the attention of Government in 1817, and Mr Walter Ewer was deputed to report on them and suggest the best means for remedying them. He submitted his opinion in the following terms — ‘ I cannot think that Government need look to any material diminution of the land revenue from the inability of the district to pay the whole jumma, but I believe that great inequalities exist, and that the assessment does in reality press heavily on many of the poorer and less industrious zemindars ’ In 1818 the discontent caused by the settlement ripened into disaffection. The Honourable Court of Directors recorded the following opinion — The comparison of the above statements and opinions on the subject of the assessment of the land revenue compels us thus far to acquiesce in the conclusion that *Khoordah* and the other resumed lands of Rajwarrah had indisputably suffered an extreme pressure of over assessment prior to the breaking out of the late insurrection, while in the very nature and circumstances of the assessment was combined a number of heavy unaccustomed evils to the whole population both military and agricultural of those estates and that there is strong reason to fear that the rest of the province has also suffered from the pressure of over assessment though not in equal degree, nor with similar collateral evils ”

In 1833 Mr Wilkinson measured and settled the *Khoordah* estate. In the following year Mr Ricketts effected the settlement of Noanund a large pergunnah in Balasore. But the necessity of adopting systematic measures for remedying the evils of Short Settlements and acquiring correct information regarding the actual produce and rent of estates, of ascertaining and securing the just rights of the

ryots and of equalizing the distribution of the burden of taxation was not recognised till 1836. In that year operations connected with the measurement and settlement of estates were commenced. The settlement of the whole province was conducted in accordance with the principles prescribed in Regulation VII of 1822. It embraced an investigation into the area and boundaries of estates, the nature and character of tenures, and the rights and privileges of the ryots. Deputy Collectors were first appointed to demarcate the boundaries of estates and decide the boundary disputes. The *Thakbust* being thus completed, a scientific survey was held and maps and papers were prepared for the guidance of Settlement and Resumption Deputy Collectors, who performed their respective duties under the supervision of the Collectors and Special Deputy Collectors. The claims to Lakhiraj or rent free tenures in the whole province numbered 277,925 but were on the whole satisfactorily disposed of. The inquiry was carried on in a spirit of great moderation and strict impartiality. The process of conducting it is thus described by Mr Mills —

On the receipt of the field book the Deputy Collector commenced operations. It was his first object to prepare a 'teridy' of the Lakhiraj claims which he sent to the Collector to number and register. When the registry had been made, he instituted the suits and invited the attendance of the Lakhirajdars with their receipts (for without the receipts the sunnuds were not traceable). He then called on all the holders of under tenures *viz* Mokuddums, Surburakars, Pudhans, Porrsuties (and in certain estates some or other of these holders were most numerous) to show and prove their rights and interest in each case. While this examination was in progress ameenas were deputed under the personal inspection and responsibility of the Deputy to fill up the columns headed 'Soil and Crop' left blank in the field book. When this enquiry had been completed and considerable progress made in disposing of the claims of Lakhirajdars and intermediate holders, the Deputy Collector proceeded to enquire into the real assets of each village, and make the Jumma-bundee of the Khalsah and resumed lands by defining the rent to be paid by the resident ryots, *viz* by the Thannee ryots by the Chandinadars by the Kurridadars of the first and second class and finally by the ex-Lakhirajdars for their several holdings interchanging pottahs and kabulents with each of them to pay the rent imposed thereon. Thus his first object being attained, he

next proceeded to classify and assess the nychas pahee and other cultivated and culturable lands *en masse*, thus arriving at the aggregate jumma which the village should pay. The process was undoubtedly tedious and expensive, and it was more than once proposed to introduce the system of making settlements pursued in the Upper Provinces, but no officer conversant with Cuttack revenue affairs countenanced the proposition. The plan was discussed at a conference at the Board in 1841 and wisely abandoned as impracticable. Mr Commissioner Ricketts expressed his opinion on the subject in 1838 in the following words —

The more experience I acquire the more convinced I am that the aggregate to detail system is impracticable here. The Board has now seen enough of Cuttack settlements to judge what sort of a settlement it would be if all the relative rights of Khureedadars of the first class Khuree dadars of the second class Mokuddums Surburakars, and Thannee ryots were to be left unadjusted and I rely on their not proposing any alterations in the detail of the proceedings.

In the Operation Report of 1840-41 I recorded my opinion as follows — It was agreed at the conference that any alteration in the present system of making the settlements and of preparing these papers (settlement records) was unadvisable and abounding as Cuttack does with such a variety of undertenures I think the aggregate to detail system of the Upper Provinces could not well be introduced and sure am I that its introduction would cause great and general dissatisfaction to the country while as regards the rents to be paid by the ex Lakhrajdas Khureedadars and others who before held their lands at a quit rent or free of rent charges it would in practice be found to retard the settlement operations the settlement officers must fix the rents to be imposed on these holdings.

The settlement officers obtained reliable information of the rent actually received by zemindars from their ryots in every village. They classified the different descriptions of the soils with their respective rates of rent with reference to their produce and situation on an average of years. They also compared the rates of land of the same quality in adjacent villages. They then proceeded on these data to determine the rent actually paid. No difficulty was experienced in ascertaining the actual rent by the Thannees corresponding to the Khoodkosta ryots of Bengal Proper, because it

was well known that they were generally assessed at a much higher rate than the produce of their fields or any advantages of their residence could warrant. But it was very difficult to ascertain the rents paid by the Pahees, occupying in Orissa the same position as our Pycusta ryots, because the *lawah-jumma* papers of the zemindars understated them. The settlement officers assumed the Pahees' average at 4 annas in the rupee, lower than the rates actually assessed on the Thannee lands. The Mokuddums or the village proprietors who paid through a superior landholder were enjoined so to pay until they could prove the right to separation in a court of justice. The allowance fixed for them was twenty per cent and in exceptional cases twenty five per cent. The zemindar was allowed fifteen per cent on the Mokuddummy jumma. There is a class of farmers in Orissa who are called Surburiakars. They are very much like the Izardars of Bengal. The Settlement Officers recognised and confirmed the Surburrakaree tenure. To the *Mourasee* or hereditary Surburrakars was allowed a deduction of twenty per cent from the gross assets and to the temporary Surburrakars a deduction of ten per cent. The zemindars Mallikana was first limited to thirty per cent but in January 1840, thirty five per cent was fixed as the minimum with permission to accept it in exceptionally favoured cases.

This settlement which was effected in 1836 has well answered its objects as set forth in the fifty third paragraph of Mr Mills's Operation Report in 1843-44 which were to ascertain the area of each estate and the valuation of the land to equalize the assessment which had been fixed and augmented at hazard without any reference to the capabilities of the mehals and which pressed with much severity on many of the poor zemindars to fix the boundaries of estates to decide all disputes relating to them on the spot to settle all questions of rights and tenures between landlords and tenants to test the validity of the multitudinous rent free tenures—a task which few hoped to see achieved. The operations here indicated have been satisfactorily performed. Each pergunnah and mouzah has been measured and surveyed an infinite number of claims to Lakhiraj tenures have been adjudicated the rents of the Khoodkostah ryots have been fixed, and the rights of all classes of under tenure holders have been carefully investigated and distinctly recorded.

The Thirty Years Settlement thus effected is no doubt, a great improvement upon the previous Short Settlements and

has, in many respects proved a blessing to the people. But it has not prevented the great evil incident to periodical settlements *viz* periodical famines. It has not stood the test of all seasons. In 1834-35 the country was laid waste by inundation and rupees 1,86,942 of the revenue of the province was remitted. In 1837-38 a similar calamity occurred calling for a further remission of rupees 5,87,146. In 1842-43 the province a third time suffered from an early cessation of the periodical rains when rupees 4,86,625 of the revenue were remitted. Again in 1844-45 the lands bordering on the River Subernica were flooded, and the Collector proposed remissions to the extent of rupees 10,365 but the Board refused the indulgence. In 1845-46 a similar inundation occurred and the Government remitted rupees 11,587 of the sudder jumma. In the same season a large portion of the districts of Cuttack and Pooree severely suffered from a similar cause and the Commissioner took upon himself the responsibility of remitting a moiety of the public demand.

But all these calamities culminated in the famine which broke out with terrible severity in May last and which is still devastating the province. The rice crop as we have before said being the main crop its failure is invariably the precursor of famine. The harvests of 1863-64 were so abundant and prices were so high that the Orissas had exported their surplus stock—a million and half of maunds from Balasore alone. The Autumn crop the only crop grown in the district failed in 1865. In that year the rains ceased early and this cessation caused a loss of one half of the average yield of that crop. After the second week of September there was no heavy shower, and this aggravation of the drought was immediately attended by the most disastrous effects. There being but little moisture left in the ground, the paddy could not arrive at maturation. Symptoms of coming distress first manifested themselves in Malwood and Pareekwood two estates in the Pooree District on the tongue of land running between the Chilka Lake and the sea. On the 14th November 1865 the Commissioner of Cuttack reported that great distress prevailed in that tract. On this the Lieutenant-Governor directed that work should be provided for the inhabitants of Malwood and Pareekwood by sending one lack of maunds of Curcutch salt to Chittagong and in the Public Works Department placed the sum of rupees 69,000 at the disposal of the Superintending Engineer for the expenditure

upon the Cuttack and the Ganjam, and Cuttack and Pooree roads His Honour also placed rupees 5,000 from the Government Estates Improvement Fund at the disposal of the Collector of Cuttack to enable that officer to afford employment to the destitute in works for the improvement of the Government Sathparah Estate The Collector satisfied that the means thus placed at his disposal were adequate to meet the wide spreading distress and utterly failing to realize its growing magnitude wrote that for the present

at any rate he did not consider any further remedial measures on the part of Government necessary But soon after this, he was obliged to apply for further aid to enable him to commence operations on the Khoordah and Pipelee Road and obtained ten thousand rupees from the Government Estates Improvement Fund

At about this time the Lieutenant Governor visited neglected Orissa On the 17th February His Honor held at Cuttack a durbur which was attended by twenty rajahs of mehals, eighty zemindars and the covenanted and uncovenanted officers of the districts Sir Cecil Beadon delivered to the assembled chiefs a suitable address impressing upon them their obligations to their ryots and pointing out to them the beneficent acts of Government He dwelt also on the advantages of irrigation and the tendency of rents wages and prices to rise with the prosperity of the province His remarks on the advantages of free trade in mitigating the effects of famine were not however appreciated by men who regarded the exportation of rice to Europe as the chief cause of the calamity that had overtaken them In announcing that a new settlement would be made, he promised that the assessment should be light and in no case bear a greater proportion to the present value of produce than the thirty years' settlement, and probably much less He also promised them a college as soon as the district should be ripe for it

No sooner was the back of the Lieutenant-Governor turned, than the scarcity of food prevailing in particular spots swelled into a wide-spreading famine It soon assumed formidably gigantic proportions demoralizing and decimating the province It has since disintegrated all the loosely jointed elements of this neglected country and introduced confusion and anarchy It has communicated a tremendous shock from which years of plenty and progress can alone enable her to recover But official eyes were at first blind and would not recognize the existence of the gigantic calamity Mr T Ravenshaw, the Commissioner, and Mr Shuttelworth, the



Superintendent of Police were both mistaken in supposing that local efforts would suffice to meet the visitation. It is this grievous mistake which has caused the Orissa Districts to be engulfed by the tidal wave of starvation and crime, disease and death. They spoke of the famine as a temporary scarcity, because their official vision was limited by the horizon of their little sadder stations. At last the officialism of the Commissioner melted in the fire of the universal suffering. He began to see things in a clearer light. On the 2nd May he drew a picture of the horrors stalking over the length and breadth of the land. 'The starving and dying absolutely swarm in the station and villages either dying of cholera, dysentery or hunger or picking up a bare subsistence by begging. Pinched by hunger and disease, as soon as a door to relief is opened the rush of applicants is so great as nearly to overwhelm the persons appointed to distribute food. I went myself and witnessed such a scene as will never be effaced from my memory and in subsequently attempting to distribute a bag of pice I had brought for the purpose I was so mobbed as to be unable to move. The money was snatched from my hands and the poor creatures even dragged the pice from my pockets the crowd getting so thick they absolutely lay one on the other in a writhing mass of disease and distress as painful to witness as it was impossible to relieve. The Board apparently disregarded this report for it did not see light till the 4th June. They did not take any action up to 28th May notwithstanding as they themselves admit they had noted symptoms of distress as far back as October last.

In the three months ending 31st October, observe the Board, the excise revenue which is an index of the prosperity of the people showed a falling off. In November they instituted inquiries and learnt that great suffering though not generally famine was in store for the people. But they added that the opinion which they had then offered was avowedly based upon most imperfect information. Why was the information received so imperfect? What were the local officers about? And if they could not supply reliable information regarding such a vitally important question as the means of sustenance of the people for six months, of what earthly use were they? Far be it from us to question the humanity of the local officers but there is no doubt they have evinced a want of foresight and of capacity to grapple manfully and successfully with the crisis which has in no inconsiderable degree aggravated its effects. In

truth it is they who have misled the higher authorities and the Government. We learn from the records of the Government that, from Cuttack and Balasore up to the 11th May beyond accounts of the marked increase of crime owing to scarcity no reports had been received showing that anything like famine existed or that those in danger of starvation could not be relieved by the funds raised by private charities, and administered by the Relief Committees which had been established both at Cuttack and Balasore. But on that date a report was received from the Commissioner setting forth the destitution that prevailed and asking for a contribution from Government in aid of the Relief Funds which had been organised.

It was not till the 27th May that a letter was received from the Commissioner of Cuttack, enclosing one from the Collector of Pooree representing that a marked change had taken place in the position of affairs and praying for assistance from Government. But we cannot hold the Board of Revenue as entirely blameless in the matter or regard it only as the victim of official misrepresentation. They endeavour to justify their inaction by urging that until May last there was nothing like famine in Orissa and state that great uneasiness there was and even suffering but till towards the end of May prices were not very much higher than in many parts of Bengal. But the correctness of this statement is not borne out by the table which they themselves give in their preliminary report on the Land Revenue Administration of 1865-66 of the number of seers of eighty tolas each of the cheapest kind of rice in ordinary use, procurable for a rupee in each district in Orissa throughout this period.

WEEK ENDING		BALASORE	CUTTACK	POOREE
6th	January	14½	15	14½
13th				13½
20th			13	13
27th		12		10½
3rd	February	11	12	8½
10th		12	10	8½
17th		10	9	
24th			10	9½
3rd	March	10½	"	9½
10th		"		
17th		11		8½
24th				
31st	"	8	9	

WEEK ENDING		BALASORE	CUTTACK	POOREE
7th	April	8	8	7½
14th				8½
21st		6	6½	8½
28th			6½	8½
5th	May		7½	
12th				
19th				7
26th		7	6	6½
2nd	June	6½	5	6½
9th		7		6½
16th		6½		5½
23rd			4½	6
30th		5½	4½	
7th	July	5½		6½
14th		6½		6½
21st			4½	5½
28th		6½	5	

Our readers will remember that rice has been dirt cheap in ORISSA—12 annas a maund being the usual rate. Its recent rise was unprecedented and should have attracted, long ere this official attention. During the last two years the rate rose a little higher than the normal rate of 12 annas a maund but it did not exceed rupees 1 4 a maund. In the month of January last the price was about rupees 3 a maund in Balasore and Cuttack and a little higher in Pooree. In February it rose to rupees 4 in the first-mentioned two districts and rupees 5 in the last mentioned district. Did the Board take any steps to meet the fearful crisis which was fairly approaching? Were they not bound to give serious attention to so grave a possibility and adopt such precautionary measures against its occurrence as might be prudent and feasible? But they failed to anticipate thus early such a possibility and were consequently unprepared for that prompt and decisive action by which this great calamity should have been met when the time of need came.

In April the price rose still higher and rice became very scarce. It sold in Balasore at 9 seers in Cuttack at 7 and in Pooree at 6½ seers to the rupee. But April also passed away and the Board did not make any sign. Now came the terrible month of May. The public were extremely anxious a general meeting was suggested, but the Board discouraged such a demonstration while their Secretary,

Mr Chapman, wrote to the newspapers to say that public contributions were not wanted

The press and the public were however fully able to realize the magnitude of the crisis and pressed upon the authorities the necessity of taking immediate action. The *Friend of India* and the *Hindoo Patriot* gave no uncertain sound but their warnings were disregarded like the prophecies of Cassandra. The *Hindoo Patriot* from its position as the representative organ of the Hindoos had peculiar sources of information and was one of the first to draw public attention to the subject. In the beginning of March it published an appeal to the public, addressed by Baboo Ramo Khoy Chatterjee the energetic Deputy Magistrate of Pooree who wrote as follows — Starvation in its literal sense is to be seen in every part of the district. When such is the state 'of things seen during the harvest season it is impossible to imagine what disastrous consequences will follow in a short "time. Soon after this Baboo Ramo Khoy Chatterjee addressed to the writer of this paper a letter on the same subject which was pervaded by the same tone. We make the following extract from it — Hitherto the people have had to suffer but partially from the scarcity of food but now what we call famine has appeared in all its horrors. The causes of this calamity here are said to be 1st the discontinuance by Government of the manufacture of salt and 2nd the failure of rice crops last year '

The *Friend* was one of the first to impress upon the public the necessity of affording organized relief to the famine stricken population of Orissa. On the twelfth of April last it urged 'the evident necessity for a general but a small subscription in Calcutta and Bengal for all the sufferers of Orissa and Ganjam and trusted 'the Chamber of Commerce and its active Secretary, ever foremost in a work of benevolence, will at once organize the movement." We could have wished this appeal had been promptly and cordially responded to.

On the 22nd May Messrs Sykes & Co addressed a letter to the Editor of the *Friend of India* containing a communication from Mr Miller giving the following mournful details — 'When I entered the town I was horror struck by the number of living skeletons in the shape of many women 'and children seen prowling about in search of food and actually turning up with their hands the gravel and dust in 'front of shops in the hope of finding grains of rice or any 'thing in the shape of food, which might be concealed

Nothing eatable however filthy and offensive, is rejected I saw one youth in the act of eating grass a mode of trying to satisfy the gnawings of hunger which I hear is now commonly resorted to The first victim of this fearful visitation I saw was an elderly female lying in the street opposite a wealthy *mut* just about to breathe her last The next was a man lying with his face to the ground so reduced as to be unable to move or speak My attention was then directed to a lad asleep in the road near the rajah's residence he was a complete skeleton every bone was visible he seemed unable to rise or speak After several attempts he succeeded in the faintest voice imaginable to tell where he came from Not far from this youth I found a mother seated by her son She was blind and much enfeebled he who had evidently been a tall strong man was reduced to a skeleton and lay on his back perfectly helpless I arranged to have food supplied to them for a week After two days they both died On the south of the temple I came up to what appeared to be a corpse On inspection signs of life were perceived After being aroused a grey haired old man fearfully emaciated managed to breathe out the name of his village Near the south east corner of the temple I found a large crowd of hungry emaciated men, women and children crying out in the most touching manner for food, the bony deformed bodies and pinched up extenuated and unnatural countenances of most of them with their vehement cries for help told a tale of protracted abstinence from food and intense suffering which would have melted a heart of stone

The Chamber of Commerce having urged upon the Government the propriety of applying to the relief of the famine stricken people the balance of the North Western Famine Fund lying in the Government Treasury, and the Lieutenant Governor of Bengal having supported the proposition the Government of India at first placed two lakhs at the disposal of His Honor Intimation of this grant was conveyed by telegraph to Sir Cecil Beadon on the 21st May His Honor at once assigned rupees 10 000 to the Relief Committees of each of the districts of Cuttack Pooree, and Balasore Instructions were given for the judicious and economical expenditure of these funds and the Board were empowered to expend a further sum of rupees 15 000 if necessary in buying grain where comparatively cheap and conveying it to the distressed districts The Board however would not see the hand writing on the wall and thought it unnecessary

to avail themselves of this permission. But on the 28th May the Board received the following telegram from the Commissioner of Cuttack —

Rice with the utmost difficulty procurable in sufficient quantity at four and half Cuttack seers per rupee. Bazaar partially closed. Only one day's rations in store left for troops who are reported discontented. Commissariat has refused assistance. Crime increasing daily. Public Works and Relief works stopped for want of food.

It being now imperatively necessary to send down rice the Lieutenant-Governor instructed the Board to do so without a moment's delay and placed it their disposal for the purpose the full two lakhs granted by the Government of India. The Board had now no other alternative than to perform their duty. They accordingly despatched the steamer *Court Hey* with 6 000 maunds of rice on board and the ship *Jacques Forrestier* with 17 000 maunds in tow to False Point for the supply of Cuttack and Pooree while 4 000 maunds were despatched to Balasore. The cargo of the *Jacques Forrestier* was shipped by private persons for sale, Government guaranteeing a minimum price of rupees 5 10 per maund at False Point that of the *Court Hey* and the rice sent to Balasore were Government property. The Board also arranged for the conveyance of a cargo of 1 100 tons or about 30 000 maunds of rice from Rangoon to the Orissa Districts.

The cry of the famine stricken population in Orissa now waxed louder and louder every day and forced even the local authorities into action. On the 8th June the Collector of Cuttack telegraphed that no rain had fallen there that the heat was intense and the early rice crop burnt up. On the same day the Chamber of Commerce urged that the balance of the North Western Famine Fund subscriptions should at once be appropriated to the purchase of rice for Orissa where (the Chamber stated) the famine was now so appalling. Upon this the Lieutenant Governor applied to the Government of India for the balance of the Fund at the same time, in anticipation of sanction authorising the Board to expend up to two lakhs of rupees in the importation of rice into Orissa. The Board, however replied that they would prefer to wait to see the effect of what had been already done and of the rains which it was thought might be daily expected. They reported that a cargo of 20 000 maunds of rice destined for Bourbon had been offered them on a guarantee which they would accept if the prices did not fall

In reply to this the Lieutenant Governor on 16th June ordered the Board to accept the tender of the 20,000 maunds, and send it down at once to Balasore or False Point On the 10th June the Lieutenant-Governor asked the Governor General to place the balance of the North Western Famine Fund at his disposal On the same day His Excellency sent telegraphic intimation of the grant At this time the Chamber of Commerce urged on the Government the appointment of a general Committee to superintend the disbursement of the funds at the disposal of the latter but the Lieutenant-Governor thought that the funds could be much better administered by the Board of Revenue through the agency of the Local Relief Committees On the 14th June the Board of Revenue reported to the Government that there was no rice to be had at Akyab and very little at Rangoon and that it would be impossible to land rice in Cuttack at a price which would remunerate Government for its outlay

At length the crisis necessitated the presence of the Lieutenant-Governor in the Presidency and His Honor returned to Calcutta on the 16th June not a day too soon On the 18th June he and his Secretary held a consultation with the Members of the Board at their office At this interview Mr Moncrieff, the Vice President of the Chamber of Commerce, and Baboo Digumber Mittra a leading member of the British Indian Association and a large zemindar of Cuttack, were present

In consequence of the discussion which then took place on the best means of transmitting rice to Orissa the Lieutenant-Governor came to the determination that Government might very properly advance such sums as might be necessary for the purchase of rice the advance being repayable from the sale proceeds of the rice as realized by the local authorities, and the Board were told to limit their importation of rice into Orissa by two considerations only *first*—that the price at which it could be landed at one or other of the Cuttack ports and conveyed to the place of sale would not be much greater than the ruling market prices *second*—that the local authorities could make arrangements for receiving and landing it at the several ports and conveying it to the various places in the interior at which it is to be sold Importations have continued to be made up to the present time and will, we are told, continue to be made on these principles, until the price in the districts of Orissa falls to a point at which importation from abroad can only

be effected at a considerable loss. In the beginning of July, the Lieutenant-Governor referring to the great difficulty experienced in finding out the real market price of rice owing to the paucity of stock instructed the Commissioner of Cuttack to fix the price of the rice imported into the district for sale at half a seer or one seer per rupee cheaper than the nominal bazaar price.

At this time, the Committee of the British Indian Association urged upon the Government of Bengal the imperative necessity of importing large quantities of rice into Orissa, and objected to the instructions given by Government to the local officers to interfere as little as possible with private trade by selling at market or cost price. The Government informed the Committee in reply, that the Lieutenant-Governor was already sending rice into the country as fast as it could be obtained and shipped and that under the instructions given to local authorities the Relief Committees had ample powers given them to alleviate positive distress by supplying rice on terms quite irrespective of market rates while for those who were able and willing to buy rice, the Government stores were open and to sell them at market prices was the only fair and proper course to adopt. In the middle of July the accounts received by Government from Orissa were full of promise as to the future. Prices were reported as already falling and the autumn crop was spoken of as being one of the finest that there had been for many years. Thanks to the presence and personal supervision of the Lieutenant Governor the Board was fairly roused into action and the importation of rice into the Orissa Districts was pushed on vigorously. Nine vessels with an aggregate cargo of one lakh and fifty two maunds of rice were at this time either at or on their way to False Point Pooree Balasore and Dhamra river. From the six centres of relief in Cuttack relief was now afforded to 1205 men, 631 women and 1075 children, much also was and is being done through individual exertions. At the end of July accounts reached the press and the Government of the great difficulty experienced in landing the rice in Pooree every thing depending upon the state of the weather. From 600 to 500 bags only could be landed there daily and in Cuttack from 4,000 to 5,000 bags. In Balasore, arrangements for relief and for the sale of Government rice had been organized by Mr McNeil who had now gone on to Cuttack. Mr McNeil estimated the very outside of the requirements of Balasore, till the incoming of the harvest, to be



rupees 40 000 He states that the relief is confined to the classes who work for wages the old and infirm, and the beggar the agricultural classes are not dependent on the relief operations in any way A full supply of rice to Balasore has been arranged for In all districts where distress prevails active measures are in full operation for its relief, and will have to continue till the harvest is reaped, but possibly it may not be necessary to import much rice beyond that already ordered On the 2nd and 3rd of August two telegrams were transmitted by the Board of Revenue to the Lieutenant-Governor at Darjeeling which were very cheering they told His Honor that in Orissa there was seasonable weather and a plentiful fall of rain and rice was selling at Cuttack at nearly six seers per rupee But in spite of these signs of improvement we fear it will be long before things will right themselves It will be years before the stamp of this great calamity will be effaced The prospect is yet very dark The famine spectre is still stalking in the land There is a complete paralysis of industry The difficulty of safely landing rice and of effectually preventing its abstraction during the transit has not been overcome The late heavy flood has destroyed a large portion of the Beah crop and caused great loss of life The relief works have not commenced on a commensurate scale But while deploring this state of things we recognise in the telegrams the silver lining in the cloud

The mode in which the Government has administered relief may be here described For this purpose the people were divided into two great classes those who could afford to pay the market price for grain but whom the market could not supply and those who could not In the latter class were included all gradations from those who could pay nothing 'at all to those who could pay all but the market price 'For the relief of the first and most numerous class, it did not appear to the Government that it was in any way 'right or necessary to expend the funds subscribed for charitable purposes There seemed no reason in fact, why they "should be supported at the expense of their fellow citizens With regard to the second class of people consisting of that mass of pauperism which requires actual charitable relief no condition is attached except that of selection by the local committee the distribution of grain to these people has been left freely in the hands of the Relief Committees which have been established from the first in each district a few general directions, only, being laid down for their guidance

The hearty zeal and earnestness, with which the details of distribution were supervised by these Committees must challenge and receive our admiration. But these local efforts however laudable were utterly inadequate to meet this tremendous visitation. The organizations for the relief of the helpless poor formed on the basis of the voluntary principle were very few and far between. The extension of relief houses throughout the interior of the Orissa Districts could alone stay its progress but they were confined to the sudder stations and a few other places. The number of relief works was too small to afford employment to a considerable portion of the able bodied poor. It is therefore no wonder that the system of relief proved a failure and that the famine produced pestilence and crime. Cholera first broke out in the jail at Cuttack. The prisoners were removed and placed under canvas but they overpowered their guard and a large number of them effected their escape. The ordinary bonds of society seemed broken. *Budmaishes* organised themselves into bands of dacoits and driven desperate by starvation attacked in several instances the golas of mahajuns and looted the rice. The calamity assumed such intensity and magnitude as to be at last unmanageable. Deprived of natural aliment the famine stricken population of Orissa endeavoured as we have seen to support life by eating wild herbs and other substances calculated to act injuriously on their system. They thus suffered not only from deficiency of food but from deficiency of digestable materials. There is therefore no doubt that the mortality caused by the famine has been great. But in the absence of general vital statistics we are unable to form any reliable estimate of deaths in the Orissa Districts. It is however generally believed that about thirty per cent of the entire population have died from starvation and its concomitant evils.

Neither are we in a position to estimate even approximately the losses caused to the proprietary communities in Orissa by the influence of the famine. They have been unquestionably as heavy as the personal miseries by which they have been aggravated have been heart rending. But as seasonable rain has fallen a strong reaction might take place among the rural population if remedial measures were taken for future protection against such a calamity. Before, however we proceed to indicate those measures, we will briefly allude to a form of relief which has been spontaneously adopted by the sufferers themselves, *viz* emigration. The people of India are, as a rule, wedded to their homes, and averse to locomotion. But

when pressed hard by the oppression of their zemindars, or prostrated by famine they seek relief by migrating to another *claka*, where they may expect cheap food and abundant work. The people of Orissa when crushed by this calamity adopted this course and streamed into Midnapore Oolobarah, &c. The famine wave originating in Orissa surged over the length and breadth of Bengal Proper. In the sub-division of Jehanabad, the pressure was most intense. The weavers of Chundercona Ramgibbonpore Kheerpoy and Ghatal left their villages in quest of food. The exodus at last poured into the metropolis and Calcutta was inundated by paupers.

To the relief of this mass of suffering humanity the opulent and influential native gentlemen of this town have devoted themselves heart and soul. They have proved themselves fully equal to the crisis and have thrown into it an amount of hearty zeal and unselfish vigour which cannot be too much lauded. The *Unnochutturs* opened by several of them in different parts of the town and where hundreds and thousands are being well fed and well cared for afford conclusive evidence of what has often been denied namely the fact that charity constitutes a distinguishing feature of the character of the Hindus. All honour therefore to Baboo Rajendra Mullick and others who like him have consecrated themselves to the good work of feeding the hungry and clothing the naked. Mr Stuart Hogg Chairman of the Justices and Mr W P Davis Deputy Commissioner of Police have also done their duty in this crisis. They have spared no exertions in concerting measures for relieving the paupers. They have been indefatigable in building sheds camps hospitals and lazarettoes. The Public Meeting which was held at the Town Hall on the 13th August affords a cheering illustration of the sympathy felt by Europeans for their native fellow brethren. The following resolution proposed by the Hon'ble Mr Justice Phear and adopted by the Meeting, bears a graceful testimony to the charity of the Hindus, and the necessity of supplementing it with European aid.

In view of the very great distress existing among the poor owing to the famine raging in some districts and the 'scarcity of food prevailing in many others of Lower Bengal' and considering that many weeks may elapse before material relief is obtained from the new crops coming forward 'this Meeting desires to record its admiration for the munificent liberality with which the native communities of Calcutta and other cities are meeting the wants of their "famishing fellow countrymen, and its opinion that the time

' has now arrived when a committee should be formed with  
' a view of inviting subscriptions for the relief of the desti-  
tute poor, that have for the last few months been flocking  
into Calcutta from all parts of Lower Bengal, and also for  
' assisting the suburbs and the towns and villages in the  
"vicinity of Calcutta."

Through the famine, Orissa has attained the turning point and crisis of her destiny. Every calamity has its moral, and the moral of the famine is the adoption by the Government of a policy of progress and material and moral improvement. With such a policy, Orissa may attain to great prosperity and enlightenment, and take a high place in the scheme of imperial administration.

The term of the Thirty Years' Settlement being about to expire the time is come for the Government to decide the important question of introducing the Permanent Settlement on the basis of the Despatch of Lord Halifax. The pledge given by Lord Wellesley for the introduction of such a settlement in a Proclamation issued by his Lordship in Council and to which we have before adverted was reiterated in Regulation XII of 1805 in the following terms — That at the end of these eleven years, a Permanent Settlement will be concluded with the same persons (if willing to engage and if they have conducted themselves to the satisfaction of Government and if no others who have a better claim shall come forward) for such lands as may be in a sufficiently improved state of cultivation to warrant the measure on such terms as Government shall deem fair and equitable. But eleven years passed away and the pledge remained unfulfilled. The Thomasonian school arose and promulgated the doctrine of Ryotwarry rights. In the meantime the periodical settlements ruined the province. We do not think it necessary at this time of the day to discuss at length the subject of the comparative merits of the permanent and periodical settlements of the land revenue. The wisdom of the policy of fixing for ever the State demand upon the land has been recognised by Her Majesty's Government and we are strongly impressed with the necessity and importance of extending to this province the benefits of the permanent settlement. The author of that settlement Lord Cornwallis, recorded his opinion in the following memorable terms — "In raising a revenue to answer public exigencies we ought to be careful to interfere as little as possible with those sources from which the wealth of the subject is derived. The attention of Government ought, therefore, to be directed to render

‘ assessment upon the land as little burdensome as possible  
 “ This is to be accomplished only by fixing it The proprietor  
 “ will thus have some inducement to improve his lands and  
 as his profits will increase in proportion to his exertions,  
 “ he will gradually become better able to discharge the public  
 ‘ revenue By reserving the collection of the internal duties  
 ‘ on commerce, Government may at all times, appropriate to  
 itself a share of the accumulating wealth of its subjects  
 “ without their being sensible of it The burden will also be  
 “ more equally distributed at present the whole weight rests  
 ‘ upon the landholders and cultivators of the soil In case  
 “ of a foreign invasion, it is a matter of the last importance  
 considering the means by which we keep possession of this  
 ‘ country that the proprietors of the lands should be attached  
 “ to us from motives of self interest A landholder, who is  
 ‘ secured in the quiet enjoyment of a profitable estate, can  
 ‘ have no motive in wishing for a change On the contrary,  
 ‘ if the rents of his lands are raised in proportion to their  
 improvement if he is liable to be dispossessed should he  
 refuse to pay the increase required of him or if threatened  
 ‘ with imprisonment, or confiscation of his property on  
 ‘ account of balance due to Government upon an assessment  
 ‘ which his lands were unequal to pay he will readily listen  
 “ to any offers which are likely to bring about a change  
 that, cannot place him in a worse condition but which  
 “ holds out to him hopes of a better’

We believe that the Permanent Settlement though it has erred in one important respect *viz*, in converting the hereditary property of the zemindars into absolute proprietorship and in ignoring the proprietary rights of the Khoodkast ryots or the real owners of the soil has, on the whole benefited the country It is unquestionably an immense improvement on the other revenue settlements of the country which may now be pronounced more or less as most miserable failures The evil effects of periodical settlements are evidenced in the paucity of cultivation and the poverty of the cultivators The periodical preparation of the Jummabundee or rent roll arms the myrmidons of the fiscal department with an enormous power of inquisitorial interference with the domestic arrangements and concerns of the ryot which is frequently and fearfully abused, and its possessors are restrained by no considerations of an enlightened or unenlightened self interest The difference between the permanent and the periodical settlements is this that while the former has upreared a barrier against those who have

the power to apply the screw as often as they pleased, but whose interests after all are identified with those of their peasantry the latter places the ryots under the tender mercies of those myrmidons of the fiscal and police departments, whose relative position education and action far from affording any encouragement to industry and enterprise are calculated to check and repress them

It is therefore not to be wondered at that the periodical settlements have extinguished, wherever they have prevailed, the nobility and gentry of the country and reduced society to one dead level of poverty Accordingly when the mutinies broke out in the North West Provinces there were few to give their active aid in putting them down In Bengal where the Permanent Settlement has interposed between the Government and the Ryot—a class of men who by their position their wealth their intelligence and their independence were well fitted to discern the disastrous consequences of the mutiny to their country and the identity of their interests with those of their rulers, the rebels found the people and their chiefs inclined neither to participate in nor sympathize with their crimes In truth, a landed aristocracy is a normal condition of India as well as of all other civilized countries It is a natural link in the chain connecting the sovereign with the mass of the people

A Permanent Settlement is not only calculated to promote aggregation of estates and prevent that infinitesimal subdivision of property which has been the curse of Orissa It also brings the zemindar and the ryot face to face and adjusts their mutual relations on a sound footing Nothing can be more desirable than that the ties that bind the zemindars to the ryots should be strengthened Everything that is calculated to sever those ties will prove as detrimental to the interests of the one as to those of the other Whatever on the contrary tends to bring the ryot and the zemindar nearer and bind them closer will advance the material and moral well being of both

We believe the extension of the Permanent Settlement to the province of Orissa will be attended with great advantages to all parties Government will derive an immediate increase of revenue from the revision of the settlement without much trouble or expense The estates having been surveyed and measured their qualities ascertained, and the rates for the time being determined, the conditions laid down in the Despatch of the Secretary of State for the extension of the Permanent Settlement have been complied with and

such enhancement of revenue as may be deemed necessary in consideration of the subsequent rise in the value of produce might be easily effected without calling into requisition the services of measurement amins and their myrmidons. The average rate of the Thirty Years Settlement was about two rupees per acre. This rate must be considered quite as high as that of the eastern districts of Bengal where rice is the staple produce. It would have proved excessive and oppressive, if it were not modified in point of fact by exemption of unculturable lands from assessment. The unprecedented rise in the value of produce has rendered the rate tolerable and even equitable. We therefore think that though there may not be a considerable increase to the public revenue from enhanced rates of rent in regard to lands which have been already assessed yet the culturable waste and jungle lands may fairly be brought under the operation of the settlement at the full rate whatever it may be, of the cultivated lands. A very considerable portion of the culturable waste and jungle land especially the former has been long since brought under cultivation. We therefore see no valid reason why under an equitable rate of assessment a premium should be offered to neglect of cultivation in regard to lands which are now for agricultural purposes quite as able to bear it as any land described in the last measurement papers under the category of the cultivated lands. The jungle lands may be advantageously settled in accordance with the rules laid down by Lord Dalhousie for the settlement of the Sunderbuns. But the increase of revenue from these sources however legitimate should not be regarded as the only or the chief object of the extension of the Permanent Settlement. The increase effected by the last settlement, namely Rs 34 979 8 10½ is inconsiderable but as Mr Moffat Mills very properly remarks, neither was much augmentation expected nor was the great work undertaken with a view to enhance the revenue of the estate. The great objects contemplated by the last settlement, and which should be steadily kept in view in introducing the Permanent Settlement are the valuation of the land the equalization of assessment, and the determination of the public demand.

Having due regard to the present situation of this province, we think the Government should lose no time in announcing its intention to introduce into it the Permanent Settlement. Such a course will prevent general neglect of cultivation, and save the province from a repetition of these

horrors, which we are now witnessing. We are informed that in several estates, lands have been thrown out of cultivation in the hope of obtaining favourable assessment, and sound policy and wisdom require that the State should come forward and remove all possible motives for neglecting the cultivation, and by diffusing contentment among the zemindars and ryots, bind them both in an indissoluble bond of sympathy. The province is passing through an unexampled crisis let not its effects be any longer intensified by periodical settlements which have already written a cruel commentary. We are convinced that a perpetual settlement of the public demand on the land will prove a potent means of strength and growth to the famine stricken population of Orissa. By removing great and unequal pressure of public burdens by preventing periodical interference of the fiscal authorities, by guaranteeing the enjoyment of profits from the investment of capital it will secure to land an increased marketable value which may be largely made use of in mitigating the effects of future pressures. But in advocating a Permanent Settlement we contemplate no interference whatever with existing rights in the soil. These rights have been recognised and confirmed by the Government, and nothing should now be done to trench upon them. We would also have it distinctly understood that we do not expect the Permanent Settlement will effect miracles in a day but that its principle is sound and its action beneficent has been proved by the Thirty Years' Settlement effected by Mr Moffatt Mills. The time for the next step in advance has in our judgment arrived.

The influence of the Permanent Settlement should be supplemented by that of irrigation. Fixity of demand and canal action should go hand in hand. That they may be made compatible with each other does not admit of much doubt. The question may be complicated in the North Western Provinces, where canalization is directed by the Government but it is surrounded by no difficulty in Orissa, where canal irrigation is chiefly directed by private enterprise. Such sections of the Orissa districts as may be or which it is proposed to bring under the direct influence of Government canals may be excepted from the Permanent Settlement for such time only as may be necessary to the completion of the irrigation survey and settlement, and the fixation of the permanent water rate. We know that the Orissas look upon irrigation with disfavour but we are persuaded that their prejudices will die out so soon as its



benefits are rendered palpable. A well administered system of irrigation will prove a precious boon. It will become a powerful agent in preventing or mitigating the effects of protracted droughts. Of the capabilities of Orissa for artificial irrigation there is no doubt. They have been tested and proven by the most competent officers. In truth, the importance of irrigation is so vital to the improvement of the province that no means should be neglected for its extension. Those who have witnessed the effects of the Jumna and other canals in the North West Provinces will not hesitate for a moment in desiring to secure the same benefits for this province. The due regulation and free distribution of water is the first necessity of agriculture in India. It enhances the public revenue as well as the wealth of the people. The field of improvement presented by Orissa in the department of irrigation is very large. In all parts of the country it yields profits to the State and to the people but in Orissa such profits will be immense and far above the general average. The staple product being rice an abundant supply of water means wealth plenty and contentment and want of it poverty famine and discontent. Where this supply is deficient or irregular the extension of works of irrigation is indispensable to the development of the resources of the country. The delta of Cuttack is peculiarly subject to the evils incident to unregulated and uncontrolled rivers, the sudder station itself standing on ground about eight feet below the level of the flood of the Kujooree would have been submerged on a recent occasion but for the extraordinary exertions of Mr R. N. Shore the Commissioner, and Captain Harris the Executive Engineer. The whole district of Pooree and the southern part of Cuttack are liable to general inundations which periodically cause the destruction of a large amount of life and property. This liability has been fearfully increased by the change that has taken place in the heads of Kujooree and Mahanuddee within the last few years in consequence of which a much larger portion of the whole water now enters the former river, than its lower parts are capable of carrying off.

These evils attracted the attention of the Government in 1858. On the 11th May of that year Colonel Arthur Cotton, Commandant of Engineers at Madras was deputed by the Governor General in Council to inquire and report on the management of the Mahanuddee. In his report, that officer submits as his fundamental proposition, That upon "the regulation of the waters of every country depends

“incomparably more than upon anything else the material wellbeing of it and this is especially the case in all tropical and other countries which have defined periodical rains Emanating as this proposition does from the best hydraulic authority in India, it is entitled to great weight In support of it Colonel Arthur Cotton shows that upon the regulation of water all produce in India depends, and that excess or deficiency of it equally diminishes or destroys the produce of the soil He also shows that naturally the supplies of water are almost always either in excess or deficit He points out that on the question of the control of the Mahanuddee depends the preservation of the districts of Cuttack and Pooree, containing a population of a million and a quarter and he proposes a system of works to regulate the waters of the province similar to those in the Godavery and Krishna Deltas—the works to consist of 1st—Weirs across the Mahanuddee Brahminee, and Byturney 2nd—Irrigating channels completed for navigation throughout the whole delta tract 3rd—Drainage channels between all the irrigating channels 4th—Embankments to all the rivers 5th—The high channel of Calcutta which would also irrigate extensively By means of these works Colonel Arthur Cotton proposes to join the various mouths of the large rivers to level embankments and having by these means reduced the strength of the current to change the deposits from heavy sand and gravel to light alluvial soil By the last mentioned work, namely a high channel to Calcutta he very wisely aims at connecting the Mahanuddee by a navigable canal directly with this port The increased production that may be caused by irrigation would be half lost if means of importation were wanting In such a case over production would reduce prices till irrigation becomes a very doubtful blessing The district of Burdwan for instance may grow potatoes without limit, but it can consume only a certain quantity and the surplus instead of facilitating, will stand in the way of the payment of a specie rent The Calcutta channel is therefore, well calculated to prevent this evil in Orissa while its extension on the other side to the Chilka Lake will ensure the benefits of a complete inland water communication Mr T B Mactier, Magistrate and Collector of Cuttack, in showing how the district would be benefited by Colonel Arthur Cotton's plan of irrigation makes the following pertinent remarks — The *sarad* is sown with the first rains in June, and is reaped in November, the *daloo* sown in November on the lowest

lands and reaped in April the area of this crop is but small as it requires watering. The 'rubbi' cold weather crops are so exceedingly scanty as scarce to deserve a name. The sarud land is covered with water in the rains and is dry by December if water were procurable there is nothing to prevent a second crop to be taken between December and June. All the pulses and oil seeds grow very well then, and the market for them is inexhaustible. I have every expectation that in a short time also more valuable crops than those now cultivated—I refer to safflower, sugar cane and jute—would speedily become common. Referring to Colonel Arthur Cotton's plan Lieutenant C B Young, Officiating Chief Engineer of Bengal says—In the benefits to be derived from irrigation particularly in India I most fully concur with Colonel Cotton. They are two-fold benefits to both the Government and the people. The Directors of the Madras Irrigation and Canal Company were so impressed with the great value and peculiar promise of the works recommended by Colonel Cotton, that they proposed to the Secretary of State for India in Council to raise the requisite capital and to undertake their construction provided fair and liberal terms of support were conceded by Government. The Secretary of State very unwisely refused a guarantee and sanctioned the formation of an unguaranteed company formed for the purpose of constructing works of irrigation and navigation in the province of Orissa. Such a company has been formed and is styled the East India Irrigation and Canal Company with a capital of £2,000,000, with power to increase the same. It is under the same management as the Madras Irrigation and Canal Company which has promoted it on the belief that the scheme should be taken up and carried out as an independent undertaking. We heartily wish Her Majesty's Government would reconsider the case and concede to the Company the guarantee solicited by them as the want of it hampers their operations. We earnestly trust the time is not distant when the Company's operations in Orissa may bear fruit.

In connection with the proposed remedial measures, we would suggest the establishment of a Department of Agriculture for the purpose of obtaining, arranging, and collating agricultural statistics, to be superintended and controlled by a Minister or Director of Agriculture. Such a department exists in France and we see no reason why it should not exist in India, which is essentially an agricultural country. It is notorious that, except in Calcutta, there are no proper

arrangements for ascertaining the periodical fall of rain. Though the fall of rain in Calcutta does not necessarily indicate the same fall in every part of Bengal yet when there is drought throughout the country the fall of rain may be some approximation to the fall of rain in the other parts of the country. We think however that at least in some of the districts which are known to be large grain growing districts measures should be adopted by the proposed department for ascertaining the rain fall from time to time. Again in every district of Bengal it is of the utmost importance that accurate information as to the grain crops should be obtained. This may be done by the proposed department. It may also take measures for the preparation of periodical reports not only on the crops but on the prices which may rule from time to time. If such agricultural statistics had been collected and published for general information before the occurrence of the famine its effects might have been, in a considerable degree mitigated by proper and judicious arrangements. Cheap markets would have benefited and dear markets would perhaps not have been dearer.

We rest our hopes for the regeneration of Orissa not only on the adoption of measures for developing the material well being of her inhabitants but on measures for promoting their moral and mental enlightenment. We believe education to be the most powerful agent for improving and elevating a race, and we therefore earnestly recommend the extension of a well directed system of education to Orissa. When the Thirty Years Settlement was effected eight vernacular schools were established,—three in Balasore three in Cuttack and two in Pooree. English schools have since been established at Cuttack and Pooree but the number of such institutions is very inadequate. There are large classes in Orissa who seek the benefits of an English education and are able and willing to contribute towards the instruction of their children. When in February last, the Lieutenant-Governor visited Cuttack, the zemindars expressed their desire to see a Government college established. We trust the time is not far distant when such an institution may be set on foot. Education must begin with the upper ten thousand. In Orissa an educated native is not such a drug in the market as in Calcutta inasmuch as young Bengalees, with a smattering of English and official vernacular monopolize the ministerial offices to the exclusion of the Oorias.

There is no event which produces unmixed evil. It is an ill wind which blows nobody good. If the famine leads, as we devoutly trust it may lead to the introduction of the Permanent Settlement, the extension of irrigation, the creation of a Department of Agriculture and the establishment of colleges and schools, it will have afforded a signal illustration of that divine law that out of evil God educes good. It will have, in that case, proved under His Providence a hurricane sweeping away in its resistless and beneficent course the abominations of poverty and pestilence, misery and crime, ignorance and superstition and inaugurating a new era of industrial development and mental and moral illumination.

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ART II—1 *Mr Disraeli's speech to his constituents on his re election*

2 *Lord Stanley's ditto ditto*

FOR the first time the leading ministers of the Crown have admitted that European considerations are but a part of the foreign policy of England and they have recognized the Queen as an Asiatic, an American, and Australasian power. Heartily concurring in these views we propose in this article to point out whereto that conclusion leads.

The national policy in America and Australia may be briefly stated. In America our rivals are the United States, and as we can get no good whatever by quarrelling with them, all men concur in doing aught that honour will permit to keep the peace. With regard to our own colonies both in America and Australia our rule is to help those who will help themselves, and to keep up the union with the mother country so long as the colonies themselves desire it and no longer. This policy has been pursued for some years amid the general concurrence of the nation. It is unnecessary further to allude to it.

With reference to our future policy in Europe, the periodical press has been representing that Mr Disraeli at least, if Lord Stanley has been more reticent, has indicated that England is to seek, in maintaining the first position in Asia, consolation for declining into a second rate position in Europe. We do not understand him to have said so. Our reading of his speech is, that the real material interests of England must be affected before we can interfere for the future in European affairs; that, until such interests are touched, it is our duty and our interest to abstain; but when they are affected the country will make the necessary sacrifices to maintain its position. In the meantime we should drop the petty meaningless interference with everything and everybody which has certainly of late years not increased our influence abroad, and reserve our diplomatic action on the continent, until it is distinctly sought or until our own interests are so materially affected that we are prepared to back our diplomacy by force, if need be.

Recent events appear to us not only to indicate more clearly that this is our true policy but to remove much of the temptation to a contrary course. The consolidation of the German nation into one great power has lessened the preponderance of France. She can no longer pit Prussia against Austria, or take advantage of the dynastic jealousies of the minor German powers to keep her own road open into the heart of Germany through a second confederation of the Rhine. The German people are not fools and their desire for unity is unquestionable and it is not to be supposed even if the Southern Confederacy is recognized that a common German parliament will not take such precautions as to prevent all danger of either France or Austria ever dividing the nation again. The consolidation of Italy has a similar tendency. It at once removes numerous causes of quarrel, and closes an ancient battle-field. The whole course of recent events points as far as human foresight can speculate to a more solid and lasting peace than Europe has ever seen.

At the same time the work is by no means done yet. The Roman question has to be settled and though Austria is to take no further part in German politics she retains Austria proper and Bohemia which though Czech has been associated with Germany for a thousand years and must be deeply imbued with German feeling. Bohemia was one of the seven electorates of the Golden Bull and it was as Kings of Bohemia that the Dukes of Austria had a claim to the empire. Whether the attachment of these provinces to the throne of Vienna will be sufficient to keep them contented in isolation from the rest of Germany is a question which time alone can solve but if they become discontented and yearn for union, they will have in Germany plenty of sympathisers and to Austria will be said only "Schleswig Holstein."

At present Prussia has taken a great lead in European politics, and she has a minister who has domineered over her parliament in the most aggravating style. People associated the policy of the state with his manners, and allowed their dislike of him personally to influence their judgment on the policy and attitude of Prussia. People talk now of Prussian preponderance, of the necessity of taking security against her ambition, and reason as if her success in Germany would make her attack all her neighbours, and overwhelm them with the might of her needle gun. But fairly considered, the ambition of Prussia was perfectly legitimate, and there is not the slightest ground to suppose her views tend or will

tend beyond Germany while the work she has done there is what Englishmen at least should take no exception to

There are two great powers in Europe whose cherished schemes of aggrandisement clash with our interests. These powers are France and Russia. The French idea is the frontier of the Rhine and in consequence, the absorption of all Belgium. The Russian idea is the acquisition of Constantinople and by consequence, the sovereignty of European Turkey and Asia Minor.

There can be no possible doubt that the acquisition of Belgium by France would be a standing menace to England. In 1814 when French soil was covered by the allied troops, Napoleon refused peace because he would not give up Antwerp and the feeling of France even at the present day, we fear fully sympathises with him. It is not to be denied that international relations between England and France have of late years been greatly progressing and that each country has learned to like the other better and respect it more. We believe such feelings however have made greater progress in England than in France. For this there are several causes. The Englishman is the greater traveller and a larger number of our population go abroad, and, though, perhaps, the most conservative of all travellers in his prejudices the travelling Englishman has an advantage in this respect over those who do not travel at all. Then in the long contests which have taken place between the two nations the balance of credit and success has been considerably in favour of England. Lastly among the most liberal Frenchmen those who admire English freedom most and long that their own country might enjoy the like the very sight of that they long for and cannot get gives rise to feelings of envy and dislike, which while they are thoroughly human are capable under favourable circumstances of developing into a most bitter hostility. A prospect of humiliating England, of winning a battle on English soil would we fear be intensely gratifying to the French mind and beyond all question the possession of Antwerp would render this idea far less impracticable.

It is a very different thing attempting to organize an invasion of England from such places as Boulogne and Ambleteuse, and having a river like the Scheldt in which to prepare it. We believe, in such case, our safety would require the permanent embodiment of the militia and the addition of a hundred thousand men to the regular army. If this be a just statement of the case it is manifestly the interest of England to assist Belgium with all her power



to maintain her independence Should the time unfortunately come when Belgium desires to be absorbed into France we must accept the situation and permanently maintain the necessary naval and military forces for our protection

In like manner, we cannot stand by and see Russia annex Constantinople or indeed make any serious attack on the Turkish Empire Russia is our rival both in Central and Eastern Asia, and the possession of Constantinople would both enable her to command our overland communications with India and the further east and give her such a prestige in the Asiatic mind as would shake native faith in our invincibility in India itself This is a most important consideration, which not only public opinion at home but even the leading statesmen of the country have never realized During the Crimean war Lord Ellenborough wisely observed, that the question then to be solved was more an Asiatic than an European one and that we should have done well to have chosen the Asiatic side of the Black Sea as the theatre of our operations leaving to France the war on the Danube both because we would have had a separate field of our own where our army would not have been overshadowed by the larger armament of France and that any successes we might have had would have spread far and wide throughout Asia The merchants of Asia from India to the Bosphorus are a nomadic race so to speak They travel from bazaar to bazaar spreading the news of all they see and hear and they only report that which is Asiatic To the people among whom they move Constantinople is the boundary of civilization as it is the limit of the nomad merchant's furthest journey Of Europe they know nothing though the names of all the old Asiatic towns are household words in their ears and, it is for this reason that Lord Ellenborough's later words are strictly true when he said that in taking Kars, as far as their influence in Asia is concerned the Russians more than compensated themselves for the loss of Sebastopol We must if we want to maintain our place as a first-class power and our Indian Empire resist Russian attempts on Turkey, and must meet any such design with war

But this does not apply to any other power necessarily, and, instead of the sick man a strong power able to hold its own located at Constantinople would be or should be a welcome sight to England Austria is such a power Her possession of Constantinople would be no menace to us, and we should be unwise to do anything to prevent it It is no love of Turkey that makes us, under certain circumstances,

fight for her, and if the march of events by pushing Austria altogether out of Germany, should press her eastward in her struggle to maintain her position as a first-class power, we should hail it as an additional security for the general peace of the world. At the same time we could do nothing to help her in such a design. Austria has the most insolent army in Europe: it is hated in every country it occupies, and England can never countenance this conduct of a military force such as Austria sent into the principalities during her occupation of it when the Crimean War was going on. If Austria wants to retrieve her position, her first endeavour should be to compel her own soldiery to treat the people they live among with consideration and civility.

It appears to us that in order to secure these two great objects of our European policy—the independence of Belgium, and the prevention of the acquisition of Constantinople by Russia, the great work in course of accomplishment by Prussia in Germany puts a trump card into our hands. The effect of this must be to increase English influence in Europe. Germany now will not only be one and a first-class power, but it will be the leading power on the continent so long as it is in a state of defensive alliance with England. Its danger consists in a combination of France and Russia. Its manifest interest is to prevent any dangerous extension of the power of either state on the continent and it cannot but support the policy of England in Belgium and Turkey. On the other hand, any attempt on the part of either France or Russia to undo the work of the unification of Germany from whatever motive it may spring, endangers our cherished policy, and should in our opinion be met by a defensive alliance of England with Germany,—a combination which will ensure the peace of Europe, and offer every prospect of a successful war, should that unfortunately, at any time become unavoidable. In such a contingency we should not shrink from doing our duty and helping Germany with all our power. It is perfectly possible silently to make it known to the statesmen of Europe that such will be our policy without alarming the susceptibilities of either France or Russia. Our wish is to keep on the best of terms with all of them, but there can be no harm in letting them know that we can see both our interest and where our danger lies and that we are prepared to accept the responsibilities of a great power.

Of course it is impossible to anticipate all the complications which may arise, but these observations seem to us to indicate the necessary policy at present. The means of carrying out

the policy are foreign to this article, but, in our relations with foreign states, we should give them to understand that we will find the means, and we should set about it, never forgetting that our power all over the world depends upon our being a first rate power in Europe and however we may abstain from foreign diplomatic interference as a rule it is no part of our intention to abandon that position if anything should threaten it. At the same time it appears to us that, where our own interests are not concerned it is wiser and more dignified to allow the continent to settle its own affairs, uninterfered with save by the expression of an enlightened and friendly interest

It is however principally our policy in Asia that should be the subject of an article in this *Review* and as it is perhaps the most difficult though certainly the less serious, we shall now proceed to deal with it

In Asia we are again confronted with our two European rivals, France and Russia. Let us take our relations with France first. We are united with France in the bonds of a common policy in China and Japan and recently she has been laying the foundation of a dominion in the delta of the Cambodia. In China and Japan France has but a small commerce but she has been desirous of taking rank all over the world as a leading maritime power, and she interfered in China chiefly in the character of the protector of the numerous Catholic missions in the far East. England on the contrary, has an enormous and rapidly developing commerce with those countries and when we found such material interests were being seriously compromised by the action of the Governments of China and Japan we deemed it necessary to resort to force if we were to maintain our trade. At the same time it is not to be denied that our intention went the greater length of extending it. Under these circumstances, as France was restless and active in those seas and had a squadron and an accredited agent there, it was necessary for us to choose our course with reference to her. We chose to act in concert with her and though obliged, no doubt to concede some points in consequence, which perhaps we may have thought we could have settled more satisfactorily by ourselves yet as France is a great civilized nation, we felt that her influence would be mainly in the direction we required and we prevented her using that influence and power to thwart us altogether and to throw every difficulty in our way. We think Government decided wisely in choosing thus and the general result of the policy may be said to

have been most successful With China and Japan our relations are simply trading and our political engagements have for their end the protection and fostering of our commerce only We have no territorial designs of any kind, nor as far as we know has France On this point there is neither jealousy nor rivalry Where we are a political power is on the continent of India and there France is so feeble and her power of expansion so completely impossible that we have nothing whatever to apprehend from her while the theatre she has chosen for the establishment of her empire in the East is in India a *terra incognita* and does not exercise the smallest political influence in the country Should France annex the whole of Cambodia and establish herself along the river up to the frontiers of China it would in all probability not be known in any Indian bazaar The people of India are a Caucasian race and their political pulse beats sympathetically to events in Turkey in Asia Persia Beloochistan Afghanistan and to a lesser degree to the affairs of the three Khanates of Bokhara Khiva and Kokand but with Mongolian and Malayan peoples they have neither relations nor sympathy We are understood of course to allude to the political centres of India Doubtless in some of the sea-ports of the peninsula Malayan sympathisers may be found but they would be but individuals few and far between and exercising no influence in the country It follows from this that France is not a rival of ours in the East and that we can view her attempts to extend her influence in these countries with friendly sympathy our only concern being to maintain such a fleet as will effectually protect our enormously valuable trade in the event of a rupture in Europe

Our relations with Russia in Asia are widely different She is our rival both in Central and Eastern Asia and there is little doubt that she is looking forward to take from us the position of the first power on that continent The territory of Russia in Asia is enormous but it is cursed with an inhospitable climate for the most part is thinly populated, and its maintenance is a cost and a drain on her resources Her enterprises in this direction have as yet only given her prestige and political consequence, and it is not to be wondered at that she should be looking for profit casting her eyes towards our noble Indian revenues and our rich commerce with China and Japan

In the far East, of late Russia has been making great strides During the war of 1853-54 her only port on the Pacific was Petropauluski, which is closed by ice for a great portion

of the year Since then not only has she acquired the whole valley of the Amour but also the whole coast of Mantchou-ria, and her frontiers now follow the course of the River Sungari and she has acquired a good port Vladivostok in the Pacific which is open all the year round Her present efforts in this direction tend to making the river Yalcookiang her boundary which falls into the Yellow Sea. This has been resisted by the Chinese Government, as it would give the whole peninsula of the Corea into her hands with its fine harbours and salient position both towards China and Japan It is understood that the recent massacre of the Catholic missionaries in the Corea was prompted by unreasonably and ignorantly confounding them with the Russians whose designs in those countries have been renewed and it is to be hoped that, in exacting reparation France will not play the Russian game but will give the people and Government of the Corea distinctly to understand how foreign the work of those whom she protects is to any encroachments on the part of Russia. The policy and encroachments of Russia have been ably exposed in a recent number of the *Revue des deux Mondes*—the article being supposed to be from the pen of a Russian who held high office in these parts The capabilities of the valley of the Amour are well depicted in 'Atkinson's Travels on the Upper and Lower Amour' It is true that Russia has to settle these countries yet and to develop the agriculture and commerce that is to make them formidable, but it is not very difficult for her to form a naval station at her new port whence to interrupt and vex our commerce with China and Japan in the event of an European rupture Indeed, according to the article in the *Revue* already quoted, the diplomatic station of the Russian envoy in Japan has assumed the character of a military and naval station, and the right of passing through the channel, which leads past it has been appropriated by Russia to be granted or refused at her pleasure

The writer in the *Revue* does more than hint that Russia has designs upon Japan No doubt it Would richly repay all her efforts But will England allow it? would our commerce suffer from the change? There is every reason to believe it would. Japan is under one central government is well cultivated, and its people are disposed towards traffic, while the exclusiveness of its government, which would prevent the development of trade is broken down, and that of the nobles is following fast Everything points to a great extension of our commerce with that country under its

present rule. Now, a conquest of Japan by Russia would probably be a long and tedious affair. The Japanese are not without spirit and there is not the slightest probability that Russia could enact the rôle of the battle of Sadowa there. Her means are small, and she could only gradually increase them and she is the least able of all the maritime European great powers to carry on distant expeditions. During this operation our trade would be utterly paralysed and he must have a feeling on the subject to which we do not pretend who would say we were bound not to interfere. We think that England should resist any such attempt for it would injure us greatly and we can easily forbid it. At the same time, if Russia would content herself with endeavouring to people and develop the noble territory she has upon the Amour she would meet with only sympathy and encouragement from England. It is significant however of her intentions that, as mentioned in the *Revue*, her negotiations to colonize the Amour with a body of Bohemian Czechs from the United States, broke down when on the point of succeeding, on account of the nature of the government and military organization to which they were to be subjected. They had breathed the free air of America, and notwithstanding all the material advantages held out to them they saw they were to be used for purposes of ambition and aggression only and they had no mind to lend themselves to the scheme.

We now turn to Central Asia. Here Russia has been making vast strides. She has conquered Kokand which is however the least warlike of the three khanates of Independent Tartary according to Vambery, and she has humbled Bokhara, and the common belief is she means to conquer that too. That Russia is troubled with but little scruples may be inferred from the fact that Russian organs have been attributing to their Government the design of diverting the River Oxus from its present channel into its ancient one, which led not into the Sea of Aral, but into the Caspian. As this involves the destruction of the khanate of Khiva, and the depriving of hundreds of thousands of innocent people of the means of subsistence as will be fully seen by a perusal of Vambery's account of this oasis in the desert, the utter selfishness and inhumanity of the proposal could only be excused on the ground that the writer knew nothing of what he was discussing, and that the Russian Government never entertained such a design. At the same time the khanates are so utterly barbarous Bokhara especially being the stronghold of Mahometan fanaticism, and their Governments are so unable to control the hordes of Kiburgis and Toorkoomans, who make

commerce almost impossible in these lands that their subjection by Russia and submission to her stronger and more regular rule can only be looked on as a general benefit

By the conquest of Bokhara Russia would be brought up to the frontiers of Affghanistan and it must be remembered that the Oxus is navigable and lies between Affghanistan and Bokhara while the Russians make no secret of their intention in some way or other to obtain the control of that river

We would recommend the reader to glance here at a good map of Central Asia showing India and Affghanistan with the leading topographical features of the country depicted.

It will be seen that Affghanistan has an outlying province of Balkh or Toorkistan north of the Hindookoosh but that all the rest of it lies within that range of mountains. To the west, however, the range becomes lower and gradually sinks to a moderate obstacle and here on the banks of the Herirood is situated in the midst of a country that would be fertile were it free from the waste of misgovernment and oppression the famous city of Herat. Within the mountains that is Affghanistan proper we find a valley having Caubul at one end and Kandahar at the other, and in the midst of it Khelat, Ghilzie and Ghuznee while from either extremity of this main valley two narrow defiles lead down upon India where their Indian extremities are known as the Khyber and Boolan Passes. Both these defiles have valleys opening above the passes those of Shawl and Jelalabad but they are circumscribed though fertile and again the valleys narrow to a gorge on the roads towards Caubul and Kandahar.

Between the Khyber and the Boolan Passes there are numerous smaller passes leading into the Derajat but they are none of them routes that are likely to be made use of by more than a mere detachment.

If Russia meant to invade India therefore she must do it either by way of Persia that is by Meshed and Nishapoor to Herat, and thence by Furrah and Kandahar to the Boolan Pass or she might make the Oxus her base and having conquered Balkh she would have to cross the Hindookoosh by way of Bamian and march thence by Caubul to the Khyber Pass. But to do that she would have to force a series of the strongest positions in the world held by an English army for we proceed to show how easy it is for us to occupy Affghanistan whenever we please.

In the Affghan War of 1838—42, we committed two grave mistakes the one political and the other military. Our political mistake was in mixing ourselves up at all with the wretched squabbles of the country, aggravated, as it was, by our choosing

the wrong side Our military mistake was in making war so far from our base of operations In fact we invaded a country and attempted to put an unpopular prince upon the throne by means of flying columns only It is clear enough now that with ordinary prudence and energy the Caubul disaster need not have happened But the Sikh Campaign of 1845-46 showed the imprudence of the invasion as the desperate battle of Feroze Shah demonstrated that the British army in Affghanistan was at the mercy of the Sikhs Things are changed now however We are wiser than to embrace the cause of any Affghan pretender and our frontiers are up to the mouths of the passes Government has it is said decided to make a railway from Lahore to Attock and this we hope to see soon followed by the sanction of another from Hyderabad to Mooltan to be subsequently extended to Attock also, so that we may have a double line of railway from the mouths of the passes to Hindostan and to the sea

Affghanistan is a country pre eminently difficult to conquer but by no means difficult to hold To reduce the people to submission and more especially to collect revenue from them is a task that no sane statesmen would propose to himself but to march a military force into the country and occupy it is not difficult at all Pollock's march through the Khyber and Nott's from Kandahar to Shawl to induce General England to advance show that when proper military precautions are taken no opposition the Affghans can offer is likely to do us much damage Still we must not forget that the Affghans are in all probability more formidable enemies than they were Dost Mahomed was no ordinary man and he had seen enough of us both in the field and during his captivity, to induce him to do his best to discipline his men to a certain extent and to provide himself with a decent train of artillery and notwithstanding the political distractions of the country the soldiers and the guns are there yet But if they have improved we have done so still more and rifled ordnance and breechloaders will more than counterbalance anything Dost Mahomed may have done

The warlike Affghans are the hill tribes and most notably so the Dooranees and the Ghilzies The former are in the hills about Kaudahar, the latter in the hills between the Khyber and the Boolan Passes bordering on the great valley of Affghanistan The hill tribes are entirely dependent on the cities or bazaars as they call them for everything that makes them formidable to other people, and it is only necessary to occupy these positions and to guard carefully against surprise to bring them to terms and if they see a firm policy of this kind, and that their internal affairs are left alone, it would be easy, by a small



payment, to save the great cost of escorts in sufficient force to protect convoys against them. Whether the Government of the day was friendly or hostile, and whether we had to beat the regular troops or not if we enter the country we should never relax this system in regard to the hill tribes, whose honour and observance of treaties and engagements are in proportion to the means of coercion they see before their eyes \*

The question therefore arises if Russia attacks Affghanistan should we meet her there? On Affghanistan we have no designs. The country would be a trouble to us only, but it is a vast natural fortress covering our frontier, and it is necessary for us that if not in friendly hands it should be at least in hands powerless to do us any injury. It is true that in history the struggle for the empire of India has never been decided in Affghanistan. The decisive battles by which Indian empire has been lost and won against invaders from the north west have always been fought in that strip intercepted between the desert and the hills, on the road between Delhi and Sirhind. But there are many considerations which forbid us waiting there. It involves surrendering Affghanistan and the Punjab enough at once to condemn it and it would open all India to the influence of Russian intrigue. We must therefore meet Russia in Affghanistan and the odds are so tremendously in our favour that, if we keep up our forces to the mark a simple intimation that we intend to do so will be sufficient to restrain Russia from any attempt on Affghanistan, and convince her that her energies for the future must be confined to the development of the countries in which she has established herself.

We are of opinion that with a vigorous foreign policy on our part there is no danger whatever of a Russian invasion of India. The physical difficulties in her way are enormous and if she should surmount them she has to confront a power greater than her own. But Russia has already attained a position whence she appears an Asiatic power to the native mind, and her career in Central Asia is exciting great attention in our bazaars. All that is turbulent and ambitious in India hates us and stories of Russian progress are

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\* These observations on Affghanistan have been drawn partly from the conversation of intelligent officers who served during the campaign in Affghanistan in 1838-42 and partly from the successful dealings of the Punjab Government with the frontier tribes.

widely spread and eagerly devoured. The native press teems with accounts of the Russians, and the people are being educated to that degree that they will be able to read these accounts without for a long time acquiring that more extensive information which will enable them to form just opinion on the relative positions of England and Russia with regard to them. Indeed when they, as a body can do that they will require neither of us but will be ripe for self government. Under these circumstances we think the time has come when our Government should have regular and reliable information from Central Asia and that is not to be obtained by employing a common native vakeel. We are of opinion that a permanent mission should be established at Caubul, that the head of it should be the most able diplomatist in our political service and that it should be made one of the most coveted appointments in way of emolument for in other respects the appointment would hardly be a pleasant one and that it should be the duty of such officer to keep the Government informed both of what is going on in Central Asia and of the state of parties in Affghanistan. We made one great mistake in this respect in preferring Shah Sojah to Dost Mahomed let us see that we have not made another in preferring Shere Ali to Afzul Khan. It is of course, not to be supposed we have identified ourselves with Shere Ali in any way but even the recognition is awkward if he proves unable to hold his own and it is important for Government not to make mistakes of this kind. Besides this an officer in the position and rank of the envoy should be able to neutralize all Russian intrigues in Affghanistan to keep British influence paramount and thus to keep the Indian mind quiet on the subject of a Russian advance into India. Some money judiciously spent in attaining such objects, whatever people who take the high and mighty view of things may say, would be by no means thrown away.

We believe that we have nothing to fear from Russia, either by sea or land if we are true to ourselves but we do think there is danger in her intrigues upon the minds of the people of India. To meet all contingencies in our opinion, we must keep such a fleet in the India and China seas as will enable us to deal with both France and Russia combined. On land we must push our railways on to the mouths of the passes, on the left bank of the Indus at any rate keep our military establishments in a thoroughly efficient state, and bring the powers that be at Caubul into a relation of

friendliness and so far as foreign affairs are concerned, dependence on ourselves

It is possible again as has happened before that Russia may make a cat's paw of Persia and direct her upon Herat. It has been proved however that a slight pressure in the gulf is sufficient to keep Persia in order. We believe it will prove sufficient in the future for Afghanistan is rather of the two proportionally increasing in strength. Should it not be enough however beating Persia out of Afghanistan would be far easier than to beat Russia out. We need entertain no apprehensions from this quarter.

We have now to address ourselves to our foreign policy on the continent of India itself. The Indian Foreign Office has the control of all those territories, the direct government of which is vested in the Governor General in Council, popularly termed the Non-regulation Provinces with these this article has no concern. It is with our feudatories and such states within the mountains as are still independent that we have now to do.

Lord Canning in his famous proclamation to the native princes in which he promised such as had no natural heirs, that the British Government would acknowledge and give investiture to an adopted son laid down a policy to which good faith will compel future Governments to adhere. But this promise does not and cannot divest the paramount power of the responsibility of seeing that a decent government is carried on by native potentates who are protected by the British power from the consequences of misgovernment which would follow inevitably were they quite independent. When such a case arises and must be dealt with hitherto only two alternatives have been placed before Government either annexation or the government of the country through the agency of a British officer for the benefit of the princely family. We venture to suggest a third mode of meeting the difficulty which we believe to be far better than either and that is to appoint the ablest native we can find to hold the office of deputy of the British Government with sovereign power for his life only during good behaviour. At his court there would be a resident whose duty it would be to report on the administration.

The whole history of India shows that the native mind has no attachment to particular families as sovereign rulers. It is very different as landlords and petty local chiefs, but Mahomedan ascendancy for 800 years taught the people that an

adventurous soldier, a nobody, even a slave might be the best of rulers, and a retrospect of the history of any of the reigning families of India, with the exception of the chiefs of Rajpootana or some very petty potentates, will show us the truth of this. What the native mind craves is native government, not the ascendancy of particular families, and if such have forfeited their rights by sloth neglect of their duties the oppression of their peoples and the exhibition of unlimited self-indulgence and of nothing else all the better intelligence of the native mind would hail their deprivation provided the state were left a native state, and the ruler appointed were a native. A field is thus left for the exercise of native ambition and very best security given against ultimate annexation. The proposal to govern the state through a British resident can never be so satisfactory. The chief power and influence still remains not with the native but with the European and the court of a pensioned imbecile or debauchee would by no means attract or satisfy like that of a real sovereign virtually independent except as to foreign relations so long as he made the care of his country his first duty. Surely it is not hopeless in this great country to meet with men equal to such a position and a degraded reigning family has no right to anything beyond a moderate subsistence nor would the native mind under such circumstances think so. As a further inducement it might be held out to the chosen deputies that the administration of the father and the way he educated his son would tell in the latter's favour provided the Government were satisfied of his fitness either for his father's office or any other which might be considered more suitable for him. Here would be an opening for the Salar Jungs and Dinkur Raos of India, such as never was yet seen under British rule while we think in adopting this policy the Government would be fully discharging its duty to the people as the paramount power as it would always reserve the power of dismissing the Nawab. In fact he would be in the position of one of Akbar's soubadars but more vigilantly looked after, and selected on other and better principles while his own conduct could always secure his position for his life.

There are a large number of men in this country who are dangerously disaffected merely because they find no avenue to wealth or distinction open to them under our rule. All our Indian statesmen of experience have recognized the existence of this class and have recommended the maintenance of the existing native states to provide for them

Many of the ablest of our Indian officials are of opinion that we have gone too far in the way of annexation already. It is a general opinion that we have done enough and we think that in pointing out a way in which this object may be attained and yet our duty to the masses of India discharged we have indicated what is worthy the attention of Government. It is not to be forgotten however that the hill states are apart. They have never exercised the slightest influence on the politics of India. Ambitious adventurers have never sought in them a field for their abilities or address and there is no reason why we should deal with them in this fashion. On the contrary there are the most powerful reasons why we should not for though we look on the colonization of the hills by men of European race as a chimera, yet they are capable of producing much that requires European management and supervision they are with good management inexhaustible depôts of the finest timber and they are invaluable as sanatoria and as furnishing wealthy stations for European troops. We seek the possessions of no one but if fate puts the opportunity fairly and justly into our hands we are of opinion that the general interest requires that we should lose no opportunity of acquiring hill territory.

Before closing this article we would say a few words on the political aspect of the management of the natives in our own service. We have neglected this too much. The late Sir Henry Lawrence writing of the sepoy army said that probably ninety five per cent were perfectly contented and five per cent were dangerously disaffected. The cause was to a certain degree inseparable from our position in India but many of the five per cent could be conciliated and contented. No doubt many will say that the mutiny showed that nothing like ninety five per cent of the native soldiery were content with our service. We believe that the mutiny not notwithstanding the estimate is a proximate one. It is beyond a doubt the earlier mutinies were the result of a vague fear that Government was about to interfere with caste and that the later ones were the work of a few desperate characters in each regiment. Soldiers and especially mercenary soldiers follow in such cases like a flock of sheep and the Indian mutiny was no exception.

No doubt there are some men we can never conciliate, and they must be coerced when they show their teeth but we think that a real effort might greatly reduce the number of the disaffected. The frank adoption of the policy, already indicated in regard to our feudatories, would do much. It

would put an end to the government of dancing girls, fiddlers and favourites for no deputy could hold his government who resigned himself to that, and it would widen the present existing field to the legitimate ambition of men worthy of better things and therefore of the class who are to be feared in times of trouble. But we must do something in the way of putting distinguished natives on a footing of equality as regards honours and emoluments with ourselves. There is no doubt that this is what they value. Nothing gratified Jung Bahadoor so much as being made a G. C. B. and one of the Attareewala Sikh Sirdars a man who commanded a division of the Khalsa army in the campaign of 1848-49 had the rank of captain given him by Government during the mutiny and the title is now his most cherished distinction. We all know the outburst of indignation with which the decoration of Jung Bahadoor was received by that clique which is mainly represented by the Horse Guards and the United Service Club to the utter astonishment of Lord Ellenborough who advised Her Majesty on the occasion as well as to that of all men who had the capacity to understand our position as the first power in the world governing a great foreign continent. But the home interest brought to bear on the question was so great that Lord Cannan, thinking all the time that it should be done refused to recommend the Raja of Kapoorthulla for the distinction of K. C. B. notwithstanding his very eminent services. Though they were forced to submit to a clamour which speaks but little for the sense of those who promoted it the Government of Her Majesty felt that something must be done, and the Order of the Star of India was instituted.

Recently this order has been extended and we trust it will be wisely and discriminatingly bestowed. We think that hereditary Rajalings have had fully more than their share. But there are other existing orders of which we would like to say a few words. In the native army there is one called the Order of British India. Its rules bestow it on native officers only and it is given for long faithful, and honourable service. It is a handsome star in gold and is in two classes the first of whom have the title of Sirdar Bahadoor and two rupees a day the second have that of Bahadoor and one rupee a day. There is no hing in this order which should make it exclusively a military decoration and we see no reason why distinguished civil officers should not wear it. The pecuniary part of it might be omitted when it was a civil decoration. It would add very much to the value of it in native eyes if Governors of provinces Chief Commissioners

and Generals commanding divisions were to wear it, and more so if the Viceroy and the Commander in Chief would sometimes do so also

Of the Victoria Cross we would only say that under its rules it should be open to the whole army native as well as European. But this great honour is scantily bestowed, and there is in the army another called the 'Order of Merit' at the disposal of the Government of India. This order is by its rules only given for bravery in the field. It is a handsome star with the legend for valour upon it. It has three ranks. The lowest carries one third more of the recipient's pay with it, the second properly given to those who have already gained the lowest carries two thirds of the pay with it and the highest class given to those who have a third time won it, carries with it double pay. During the mutinies the rules of this order were relaxed and it was given for loyal service without regard to its gradation but we believe it has since been put upon its original footing. It is not to be doubted that the value of this order would be greatly enhanced in native eyes if it was given to the European army. The profusion with which natives were decorated with it during the mutiny war created great jealousy and heart-burning among the European troops who got nothing and its extension to them would enable the Government of India itself to decorate deserving bravery in cases where the peculiar conditions of the Victoria Cross were not fulfilled. Officers should of course receive it as well as men but in their case no extra pay be given. We feel very little hesitation in saying that such an extension of the order would greatly enhance its value in the eyes of the natives of India. These distinctions are valued everywhere and chiefly at the rate that is put upon them. Sharing with the native soldiery, by the governing class cannot but make them greatly prized, and it would be no less acceptable to the working portion of the British army however it might be looked upon by the military authorities in London.

We are further of opinion that the institution of the staff corps has introduced an organization into the army, which admits of a politic promotion of natives without any danger. Young men of family after serving a stipulated time in the commissioned ranks of the native army might be promoted to be lieutenants in the staff corps and their promotion go by their service as that of their European comrades. An examination in the English language and ability to write and read Persian, as well as in their military duties, might be required

Some old and deserving soldiers, who were thought worthy might also receive the like distinction, and perhaps the English language be omitted in their case. It would not be necessary to do much in this line a few cases would have a great effect and something of the kind must be done for our own safety. No apprehension need be entertained as to the want of employment. Every general officer might have a native aide-de-camp allowed him and ought to have one. Some would, if well selected, be invaluable in the Quarter Master General's department others would no doubt be excellent political officers, and they would be none the less likely to serve Government faithfully because they held the rank of captain major or lieutenant-colonel in the British army. In one or two cases we even think that the Government would do wisely with well tried men to entrust them with the command of a regiment and others who were not quite up to that might become wing or squadron officers. For the present however it would in no case be desirable to put Europeans directly under their command. The future must be left to the Government of the day.

With regard to our native civil servants we should do something of the same kind. We have already expressed an opinion that the order of British India should be thrown open to them and we think they should also have English titles. By far the bulk of the civil judicial work of the country is done by native judges and if we left the moonsiffs alone the sudder ameens and principal sudder ameens might be called by the name of judge of this or that court. We see no reason why if we have a native judge of the Supreme Court a native might not here and there be made judge of a district. So in the non regulation districts natives who have really distinguished themselves, should not be restricted to the rank of extra assistant commissioner only. That of assistant commissioner should at once be thrown open to them, and for the future let their ability show the way. We are also of opinion that natives of a certain rank in the public service should be called 'Sahab' It is a word at present distinctive of the European, or only given to Rajas and such like. There is nothing that would tend more to increase the self respect of our better men, and to make them feel that Government meant to treat them worthily. As a rule, in the Civil Service natives are far better fitted for judicial than executive appointments and a reform that would separate the two branches of the administration would, while it greatly improved the Government,



make the adequate provision for deserving natives in the civil department much more easy of accomplishment

We may at first sight appear open to the charge of digressing in bringing under discussion our treatment of our own officials in an article on the foreign policy of England, but a further consideration will acquit us. In this country we are encamped among a foreign people. Our social condition and theirs prevent any intimate association and therefore our relations with them are and must be political. We can no more amalgamate with them than oil with water, but as we have to live among them we may do what we can and allow them to feel our presence as little as possible, and it cannot be felt more than when it grates on the *amour propre* and presents a wall of brass to the personal distinction of every able man in the land.

We would conclude with a word in reference to the new Secretary of State for India. He is one of the most rising and hopeful statesmen of the Tory party. A leading London journal speaking of him wrote as if he had made a sacrifice in taking India representing that as he had given proof of his powers as a party debater and as his genius lay towards sarcasm by accepting his present office he had deprived himself of the field best suited to his talents and was likely in consequence to fill a less prominent position in the House. We cannot agree with this writer. England has been now for a long time and must be governed by parties, but it is not in their contests that statesmen are made. Oratorical combats on the floor of the Houses are no doubt exciting enough and as a trial of intellectual power especially interesting to contemporary ephemeral literature but they pass by and leave no trace behind they essentially contract the view of those engaged in them and however such gladiators are feared and admired among their contemporaries they have no place in history merely as such. If Lord Cranborne aspires to be a statesman we consider India perhaps the best school the public service affords. It removes him from the necessity of looking at measures through party spectacles the affairs he has to deal with are vast enough to open any man's mind and induce him to take a liberal and enlarged view of things and the mere having to deal with something quite apart keeps ever before his view that there is a great world outside the House of Commons. How many men of promise have succumbed to party influence! Our statesman should ever remember Goldsmith's happy description of Burke

"Who, born for the universe narrowed his mind  
"And to party gave up what was meant for mankind.

We have no great admiration for the Tory party, as such. We dislike their Austrian proclivities and their total want of sympathy with the legitimate aspirations of the people, both at home and abroad. But we recognize the value of the conservative element in the country, and though Tories are friendly to prerogative, they have ever manfully withstood Whig tendencies to govern by an oligarchy raised on the sympathy of the people with the great principles of national progress, and for this they demand the gratitude of all honest men. On this occasion the Tory party has had power thrust upon it by the blunders of its opponents. We can look for no great domestic measure from the present ministry to carry such they must believe the principles of their party, and the history of their lives. But, if we have interpreted their meaning in saying that our position in Asia must influence their foreign policy generally if they stick to that principle and place the naval and military forces of the country on a footing adequate to carry it out they will have inaugurated a new era in the history of England and be entitled to the respect of every lover of his country.

ART III —1 *Memoire pour le Sieur Duplex contre la compagnie des Indes, avec les pièces justificatives* Paris, 1759

2 *A History of the Military Transactions of the British Nation in Indostan from the year 1745*, by Robert Orme M A, F A S 1803

3 *Histoire de la conquete de l'Inde par l'Angleterre* par le Baron Barchou de Penhoen Paris, 1844

4. *Inde* par M Dubois de Jancigny Aide-de-camp du Roi d'Oude et par M Xavier Raymond Attaché à l'Ambassade de Chine Paris Firmin Didot Frères 1845

5 *The History of British India* by Mill and Wilson, in ten volumes London Madden and Co Leaden hall Street 1858

6 *The National Review Volume XV* London Chapman and Hall 193, Piccadilly, London

7 *An Account of the War in India between the French and English on the Coast of Coromandel from the year 1750 to the year 1760* Compiled by Richard Owen Cambridge, Esq London, T Jeffreys, 1761

8 *Nouvelle Biographie Générale depuis les temps les plus reculés jusqu'à nos jours* Paris Firmin Didot Frères 1862

THE energetic measures taken by Bussy after the death of Mozuffer Jung had confirmed the ascendancy which the French had attained in the councils of the Subadar. All the promises all the arrangements, made by the deceased prince, had been at once ratified by his successor.

Of these perhaps the most important at the moment was the engagement entered into with Mahomed Ali. It will be recollected that this noble, the representative of the family of Anwarodeen, abandoned by every one after the downfall of Nazir Jung had taken refuge in the strong fortress of Trichinopoly. Here at the instance of the Mahratta, Raja Janojee, he had opened with Dupleix negotiations, which had terminated in a promise on the part of Mahomed Ali to recognise Chanda Sahib as Nawab, and to make over to him Trichinopoly and its dependencies on condition of being himself secured in the possession of his father's treasures, free from all enquiry as to his administration, and of being entrusted with a subordinate government in another part of the Dekkan. It was in the fullest belief that this engagement would be adhered to, and that the matter was settled, that Dupleix had despatched Bussy to Aurungabad.

Yet notwithstanding that Mahomed Ali had before the march of Bussy agreed to the terms proposed, and that Dupleix on his part, had obtained and forwarded to him the sanction of the Subadar to their being carried out in their entirety, the matter seemed to hang fire. Whether it was that he distrusted the promises of Dupleix or that he trusted to the chapter of accidents this at least is certain, that Mahomed Ali delayed, on one pretext after another compliance with the terms to which he had agreed. At last driven hard by Dupleix he declared that further concessions would be necessary before he could give up Trichinopoly. So anxious was Dupleix for a peaceful settlement of the question, that even this new demand did not exhaust his patience. He sent the letter of Mahomed Ali to Bussy, with a request that he would obtain from the Subadar the necessary authority to enable him to agree to the terms it contained. Considerable as they were these new demands were in his opinion small in comparison with the consequences which he believed compliance with them would entail, *viz* the evacuation of Trichinopoly and with that the pacification of the Carnatic. The consent of the Subadar was easily obtained by Bussy the proper documents were then forwarded to Mahomed Ali to be considered valid only on the condition that he signed the treaty without further delay. Mahomed Ali, however, still hesitated. He had been in fact throughout this period urgently beseeching the English for their assistance, and it was only when, at the end of four months after he had received intimation of the Subadar's consent to the additional conditions he had required,

he wrung from them a promise of substantive aid, that he boldly threw off the mask and refused to surrender Trichinopoly on any conditions whatever

Thus again was Dupleix, much against his own inclinations, much, as he well knew, against the wishes of his masters in Paris forced into war Thus again did the question of French domination in India depend upon the capture of the city of Trichinopoly The army, which in November, 1749, had marched from Pondichery with the intention of carrying out this purpose, had been unwisely diverted to another object But this time Dupleix was resolved there should be no such mistake To the native army of Chanda Sahib consisting of from 7,000 to 8,000 men, he added therefore a European detachment of 400 men, a few Africans and some artillery—the whole under the command of M d Auteuil These left Pondichery in the month of March 1751

Meanwhile the English, recognising and rightly recognising that their only chance of safety lay in their sustaining the cause of the anti French pretender to the government of the Carnatic, had resolved to support Mahomed Ali with all the means at their disposal In the early part of February therefore, they despatched Captain Cope at the head of 280 Europeans and 300 sepoys to aid in the defence of Trichinopoly at the end of March following, they ordered a force of 500 Europeans, 100 Caffres 1 000 sepoys and eight field pieces to march from Fort St David for the purpose of co-operating in the field with the troops that still adhered to Mahomed Ali, and which were expected from Trichinopoly This force was commanded by Captain Gingen, and serving with it as commissariat officer, the second time we have met him—was Lieutenant Robert Clive

The first detachment—that under Captain Cope,—had during the same month made an unsuccessful attempt to capture the city of Madura held for Chanda Sahib by Allum Khan, and had returned dispirited to Trichinopoly Captain Gingen, for his part having been joined in the middle of May by Mahomed Ali's troops, 1 600 in number, had at once marched on the pagoda Verdachelum, about forty miles from the coast, and commanding the communications between Fort St David and Trichinopoly Taking and garrisoning this and being joined by a further detachment of 4,000 men from Mahomed Ali, and 100 Europeans despatched to his aid by Captain Cope, he moved forward to intercept Chanda Sahib and the French, of whom he had last heard as marching on

Volcondah, about forty five miles to the north of Trichinopoly, and on the high road to that place

Volcondah was a considerable place, strong in its natural position, and, for a native town, very fairly fortified. The governor held it for the Nawab of the Carnatic, but as the rival forces approached it from different quarters, he was apparently undecided as to whether Chanda Sahib or Mahomed Ali had the better claim to that title. It was evident that a battle was imminent, and, uncertain as to its results he feared the consequences which a premature declaration in favour of the faction that might be vanquished, might have on the party that should prove victorious. He therefore judiciously declared that the cession of the place would depend upon the issue of the impending contest, whilst at the same time he lent an attentive ear to the offers that were made him by both parties.

The march of Chanda Sahib had been so slow that the English had had time to take up a position to the south west of Volcondah, before he had advanced beyond that place on his road to Trichinopoly. It had now become indispensable for him either to occupy Volcondah, or, gaining the governor, to drive the English from the neighbourhood. To this second end he spared neither persuasion nor promises. Whether these would, under other circumstances, have brought about the desired result may be doubtful but this at least is certain that the shifty conduct of the governor so wearied the English commander, that after a fortnight's useless negotiation, he resolved to compel that which the other would not willingly yield. On the evening of the 19th July therefore, without apparently acquainting the governor with his intention, Captain Gingen marched a great portion of his force against the place, with the intention of taking possession of it.

The outer defences of the town, and the town itself, fell at once into the hands of the assailants, but this attack, and the burning of some houses outside, roused the garrison of the fort, and the English were compelled to recoil from its stone walls with considerable loss. Their ill-advised attack decided the governor. He threw himself at once into the arms of Chanda Sahib, and summoned the French to his aid. Before daylight, consequently, d'Auteuil put his force in motion, and entering the fort with a portion of his troops, poured upon the English such a fire of artillery that notwithstanding all the efforts of their officers they quitted the field in a panic, abandoning their native allies, and leaving

six pieces of cannon, several muskets, all their camp equipage and stores of ammunition, as a prey to the conqueror. Had the French pursued with anything like vigour, the war would have been that day at an end. But a fatality seemed to attend all the operations that might have been decisive. D'Auteuil was laid up with gout, and was quite unable to give his personal attention to details, nor had he a single officer with him upon whom he could rely. Instead, therefore, of taking advantage of the panic which had overcome the English, and of converting their defeat into an overthrow which must have been ruinous, the French and their allies contented themselves with maintaining a brisk cannonade on the enemy from the north bank of the little river Valaru which he had crossed in his retreat. It has been said \* indeed, that Chanda Sahib was hindered in his onward movements by the defection of one of his generals, in command of 4,000 horse. Desertions from a victorious to a vanquished enemy are not common, least of all among nations of the East. But however that may have been it did not influence in the smallest degree the movements of the French. It was for them, on this as on previous occasions, to give the cue to their native allies. All the accounts of their historians the memoirs of Duplex himself record that they failed to do this, and that they failed because of the illness and apathy of their general, and the want of spirit of their officers.

Never before indeed had such an opportunity been offered them, never such an opportunity neglected. The force under Captain Gingen constituted, with the exception of 80 men under Captain Cope at Trichinopoly and a few left to mount guard at Fort St David and Madras† the entire available force of English soldiers on the Coromandel coast. A little display of energy on the part of d'Auteuil and his officers would not only have ensured the destruction of this force, but, as a necessary consequence the fall of Trichinopoly, and the restriction of the few English who remained to the limits of their possessions on the coast. This is no idle supposition. It is capable of positive proof. So complete was the panic which possessed the soldiers of the little army under Captain Gingen, that they left their native allies to fight whilst they fled in confusion, they heard

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\* Orma.

† The reinforcements to be subsequently alluded to did not reach Fort St. David till the end of July

without shame the taunts of the brother of Mahomed Ali on their cowardice, and notwithstanding that they were not pursued, they abandoned their encampment at midnight and leaving behind them their guns, camp equipage and munitions of war, fled precipitately in the direction of Trichinopoly. Can any one doubt that upon men so panic-stricken, the vigorous pursuit of an enemy would have produced the most decisive effect? Can any one believe that the consequences of such decisive action would not have been ruinous to the English?

But no pursuit was attempted that day and Auteul contented himself with securing possession of Volcondah. On the following morning, however finding that the enemy had disappeared, d Auteul followed on his track, halting within a few miles of the position he had taken up in the hilly country round Utatoor, about twenty miles north of Trichinopoly. Here, during a halt of three days, several skirmishes ensued, in one of which the English fell into an ambuscade and suffered severely. On the third day Chanda Sahib attacked the English position, and although, owing to the non arrival at the scene of action, at the time agreed upon of the French contingent, he was repulsed, yet his attack made so serious an impression upon the English, that they retreated the same night to the banks of the Coleroon. They crossed this river, followed by Chanda Sahib and the French on the 25th, and took possession of Seringham, an island formed by the separation of the Coleroon from the river Cauveri, but not deeming themselves even here secure, they abandoned this also and the pagoda upon it—a very strong position in which, supported by the troops in the city, they might have defended themselves against five times their number—and took refuge on the 28th July under the walls of Trichinopoly.

The French and their allies meanwhile pushed on, and crossing the Coleroon took possession of Seringham. First completing the conquest of this island by the capture of the mud fort of Coladdy at its eastern extremity, from which they expelled the English they crossed the Cauveri, and encamped on the plain to the east of the town near a position now known as the French Rock. From this they commenced a sort of bombardment of the place.

Trichinopoly\* is situated on a plain which once was crowded with rich villages and plantations of trees. The town is in

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\* This description is taken from Colonel Lawrence's Account of the war



form of an oblong square, the longest sides of which are east and west. On the north runs the river Cauveri, less than half a mile from the fort. The town at the time of which we are writing was nearly four miles in circumference, with a double *enceinte* of walls with round towers at equal distances. The ditch was nearly thirty feet wide but not half so deep, and at different seasons was more or less supplied with water. The outer wall was built of grayish stone. It was about eighteen feet high, and four or five thick without parapet or rampart. The inner wall, distant from it about twenty five feet, was much stronger, and was thirty feet high. Its thickness at the bottom was thirty feet and it gradually decreased as it ascended by means of steps, to a width of ten feet at the summit. In the middle of the old town stood a most extraordinary rock about 300 feet high. On the top of it was a pagoda "which," says Colonel Lawrence, "was of singular use to us." The whole war here was constantly stationed a man with a telescope who gave us by signals and writings an account "of all the enemy's motions." It remains to be added that the city is about ninety miles from the coast, the river Cauveri running about half a mile to north-east of its northern face. Beyond that, about a mile from the south bank of the Cauveri is the pagoda of Seringham and beyond that again the branch of the Cauveri known as the Coleroon.

The French had, as we have seen, taken post to the east of the city, and had opened fire on the walls. Before however much progress had been made in the siege, d'Auteuil, whom gout had utterly incapacitated was, at his own request relieved from his command and returned to Pondichery. His successor was M. Law, nephew of the famous Scotch financier, and who had recently returned from France with strong recommendations from the Directors. We do not meet him here for the first time. He it was who, at the time of the attack on Pondichery by Admiral Boscawen had been entrusted with the defence of the outpost of Ariancopan—a service in which he had displayed energy and vigour. His past services and the character he then bore were sufficient to authorise the expectations which Duplex had formed from his nomination. He was indeed destined to be disappointed. But Captain Law's case is not the only instance in which showy qualities have covered infirmity of purpose, or where pomposity and self-assertion in the cabinet have been mistakenly regarded as indications of ability in the field.

Nevertheless, at the commencement of his proceedings, Law

displayed no lack of energy. Finding that the English were resolved to defend Trichinopoly to the last, and that its defences precluded the possibility of a successful assault, he determined to take advantage of the possession given him, by the recent French victory of the neighbouring country, and to subject the town to a strict blockade. Everything seemed to favour such a proceeding. The great body of the English troops were shut up in Trichinopoly; the few that remained could not expect to cope successfully with the French in the field, still less to introduce supplies into the town in the entire Carnatic, but one place, the small fort of Verdachelum, on the road from Fort St. David to Trichinopoly held out for Mahomed Ali. The cause of the English seemed hopeless, the fall of Trichinopoly, if strictly blockaded and pressed vigorously, appeared certain.

Yet it was in these desperate circumstances in this crisis of the fortunes of France and England that there appeared upon the stage one of those men whose daring genius and power of original conception supply the want of armies. We have already stated that with the force led by Captain Gingen to endeavour to intercept the march of Chanda Sahib and the French on Trichinopoly, there served as commissariat officer Lieutenant Robert Clive. This officer had originally come out to India as a writer in the civil service of the Company in the year 1744, and had been in Madras when that place was taken by La Bourdonnais. On the departure of La Bourdonnais and the disavowal by Dupleix of the terms of capitulation which he had unauthorisedly granted, Clive had escaped, as we have already stated to Fort St. David. Here he enjoyed many opportunities of noticing the method of war adopted in the East, in the several attacks made upon Fort St. David by Dupleix and his allies and in the movements of Anwarooddeen and his two sons to hinder their success. When subsequently the arrival of Admiral Boscawen secured for the English a preponderance on the Coromandel coast, and the siege of Pondichery was resolved upon, Clive obtained permission to join the besieging army in the rank of ensign. He is stated to have distinguished himself on this occasion by his daring courage but the skill which was wanting in the leaders of the besieging army shone brilliantly within the walls of the town and the enterprize miscarried. We next hear of Clive at Devicottah, as usual in the foremost rank and shortly afterwards as commissariat officer of the expedition sent to intercept Chanda Sahib. In the panic which followed the failure of Captain Gingen

to possess himself of Volcondah, Clive showed considerable presence of mind and attempted, though in vain, to rally the fugitives\*. When the force retreated the following day towards Trichinopoly, Clive returned to Fort St David, arriving there just as a reinforcement of about 400 men landed from England. One detachment of these he accompanied to Verdachelum, and a second to Trichinopoly, increasing the English garrison in that place to 600 men. Lieutenant Clive himself did not remain in Trichinopoly. What he saw there was not encouraging. The men were dispirited and had lost all confidence in their officers, these latter were none of them remarkable for capacity or presence of mind. The French were superior in numbers, and seemed to be pushing their attack with resolution. The surrender of the last stronghold of Mahomed Ali appeared to him therefore to be inevitable, unless it were possible to infuse a sort of revolutionary energy into the councils of the English. To attempt this at Trichinopoly would be, he knew, useless. The fate of the English must depend upon the action taken at the Presidency. To rouse and influence it, he left therefore Trichinopoly and returned to Fort St David.

The plan which Clive had revolved in his own mind as the plan absolutely necessary for the safety of his countrymen, was due doubtless rather to his inborn genius than to extensive reading or study. It was nevertheless the plan which the greatest military leaders have loved to pursue—a plan which adopted by a man possessing daring and prudence, must always be successful except when opposed by immensely superior numbers, or by genius of the very highest order. There is this, too, with respect to such a plan. No one but a great captain ever has tried it, ever could try it. It is too much for the spirit, for the capacity, of an inferior man. To him it seems too bold, too venturesome, too hazardous. It leaves too much at stake. And this,—though the plan is as safe as it is bold—is safe because it is bold. We allude to the carrying the war into an enemy's country. The inferior general who hesitates to do this, though he sees that if it could be done it would save him and ruin his enemy, does not calculate on the inevitable effect which such a movement must produce on the 'morale' of the force opposed to him especially when that force constitutes the principal, perhaps the entire available army of the enemy. He does not

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\* Orme states Captains Gingen Dalton, Kilpatrick and Lieutenant Clive endeavoured to rally them but in vain.

consider that such a movement must paralyse the onward march of his opponent. Yet history abounds with such examples. Even the great Frederic gave up at a critical period, his movements in Saxony, when he found the Austrians were marching on Berlin. And if he a consummate master of the art of war would act thus what may we imagine would be the effect of such a movement on men of inferior capacity? It must always be startling, almost always decisive.

Clive we say had arrived at such a conclusion by the mere force of his genius. He had the capacity to open the eyes of his mind and see the result that must follow. He went therefore on his return from Trichinopoly direct to the governor Mr Saunders pointed out to him how, if matters were allowed to take their sluggish course Trichinopoly, and with it English interests must fall that Chanda Sahib having brought all his resources to bear upon the siege had left his capital comparatively unguarded that there was no force of his or of the French in the field that Law was at Trichinopoly, Bussy at Aurungabad that therefore a blow might be struck at the heart of the enemy's possessions which if successful would either force him to leave his hold on Trichinopoly or would open out a new field for military operations success in which would compensate for the loss of that place. To add force to his proposition, he offered to lead himself the troops that might be destined to carry it into effect. Mr Saunders who had been appointed governor the preceding year was a man who possessed the not inconsiderable merit of appreciating the large schemes of others, though he might not have been equal to devising any of his own. He cordially received the propositions made to him by Clive placed under his command a force of 200 Europeans and 300 sepoys—thus reducing the garrisons of Madras and Fort St David to their lowest point—and crowned the whole by nominating Clive himself as commandant with the rank of captain and with unlimited powers\*.

Arcot, the place at which Clive aimed his blow was the capital of the Carnatic,—the seat of the Nawab's government. At the time of which we are writing it was an open town possessing about 100 000 inhabitants. There was it is true a fort with the outward signs of fortifications, but these had long since fallen into decay. The ramparts were

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\* Mr Orme states that besides Clive there were but eight officers with this force six of whom had never been in action and four of the six were members of the mercantile service.

in a state of ruin and the bastions were crumbling from age and want of repair. The garrison entirely native consisted of about 1,000 men, nearly one half of whom were cavalry to the native gunners, however had been attached two or three French artillerymen for the purpose of instructing them in the European method of rapid firing. These were at the time in Arcot.

To attack and take possession of this place Clive at the head of the force above detailed left Madras on the 6th September on the 11th after halting one day at Conjeve ram he arrived within ten miles of the capital. Thence he resumed his march and notwithstanding the unpropitiousness of the weather which displayed itself in a thunder storm of almost unprecedented violence arrived the same day at the very gates of Arcot. The news of his march had preceded him and the native garrison terrified at the idea of opposing a man who could thus bid defiance to the elements had hastened to evacuate the place. Clive therefore entered it without opposition and prescient as to the effect which its capture must have upon the enemy proceeded at once to repair and improve its fortifications.

This successful occupation of the capital of his native protégé and ally whilst it surprised and vexed did not at all disconcert, the active minded and energetic governor of Pondichery. If Clive had calculated that his raid would lead at once to the abandonment of the siege of Trichinopoly he found himself mistaken. Dupleix in fact looking at matters with the glance of a statesman and a general saw that notwithstanding this diversion the chances were still ten to one in his favour. It was by pressing more earnestly the siege of the strongly fortified Trichinopoly the last refuge of Mahomed Ali, that he felt he could conquer Clive in Arcot. He therefore bent every energy of his mind to increase and render effective the force under Law. He sent him Europeans from Pondichery and a battering train from Karical and he urged both upon him and Chanda Sahib the urgent necessity of permitting no consideration whatever to interfere with the pressing and absolute necessity of conquering Trichinopoly. This was the true policy for nullifying and defeating the daring action of Clive.

But unfortunately for Dupleix he was badly served. Law's action will be hereafter referred to. As for Chanda Sahib no sooner had he heard of the capture of Arcot than deaf to the entreaties of Dupleix blind to his real interests, he insisted on detaching 4,000 of his best troops to retake his

lost capital. This force as it passed Pondichery, was strengthened by 100 Europeans and increased by other native levies to the number of 10 000 men, marched under the command of Raja Sahib, son of Chanda Sahib upon Arcot.

The siege which followed not only presents one of the most glorious pictures of Anglo Indian history but it may be considered likewise as the turning point in the Eastern career of the English—the foundation stone of their present empire. It was at Arcot that English officers taught their sepoys to follow them with the implicit confidence which superior skill and energy alone can inspire. It was at Arcot that they too learned the lesson, followed up afterwards with such magnificent results by their leader at that place that in Asiatic warfare the question of numbers is merely a secondary consideration that discipline and the self confidence born of it are of infinitely greater importance that there is nothing which a capable general one who can impress his spirit on his soldiers may not prudently attempt against an undisciplined enemy. It was at Arcot in fine where the Anglo-Indian army received its baptism of victory.

The incidents of that famous siege are well known to the readers of Anglo Indian history\*. On the 4th October Raja Sahib took possession of the town and commenced the investment of the fort. On the 5th, the besiegers beat back a sortie headed by Clive in person. Fifteen days later their battering train arrived and on the 4th November two 18 pounders from Pondichery. The garrison had been reduced to 120 Europeans and 200 sepoys. A reinforcement of 100 Europeans and 200 sepoys sent from Madras and commanded by Lieutenant Innes was attacked on the 5th at Trivatore and forced to take refuge in Poonamalee. The garrison was thus left entirely to itself. Its stock of provisions originally only a sixty days supply was more than half exhausted. On the 10th a practicable breach having been made in the walls Raja Sahib sent to Clive a proposal to surrender, offering honourable terms to the garrison and a considerable sum of money to himself and accompanying it by a threat to storm the fort and put the garrison to the sword if his proposition were not acceded to. In reply Clive rejected the proffered terms contemptuously as regarded the money, and tauntingly with respect to the threats.

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\* The detailed account of Orme and the brilliant sketch of Macaulay leave nothing to be desired on this head.

For some days Raja Sahib yet hesitated. He might still indeed, had he been left alone, have forced the evacuation of the fort by a continued blockade, for he was well aware of the attenuated state of the supplies within its walls. But, all this time, Mr Saunders, the governor of Madras, had exerted himself with unsurpassable energy to deliver his young captain from his difficult position. First by reinforcements to Lieutenant Innis under a more experienced officer Captain Kilpatrick he had enabled the detachment to march from Poonamalee in the direction of Arcot. But, secondly, and with a far more important effect upon Raja Sahib, he had induced the Mahrattas to take up arms on behalf of Mahomed Ali. A body of 6,000 of these under the command of Morari Rao, had been for some time awaiting the course of events in the pass of Damalchery. But though nominally the allies of Mahomed Ali the fortunes of that chieftain were at so low an ebb that they hesitated to commit themselves in his favour. The sturdy defence of Arcot however had not been without its effect upon these hardy warriors. In the handful of men who had defended its dilapidated fortifications against numbers so superior they recognised soldiers worthy of their alliance. They determined therefore without further hesitation, to cast in their lot with the English.

The intelligence of this finally determined Raja Sahib. He had to choose between an encounter with Morari Rao in the field supported by a sortie from the garrison, or an immediate assault. With correct judgment he chose the latter alternative and, on the evening of the 24th November made his preparations for the storm. Unfortunately for the success of his plans, however, a deserter disclosed them to Clive when therefore his troops advanced early on the following morning to the assault they found that every possible preparation had been made to receive them that cannon were pointed at the breach that spare muskets were loaded and in readiness, and that the small garrison had by the ability of their commander, been utilised so as to supply by their skilful disposition the paucity of their numbers. Nevertheless preceded by elephants to burst open the gates, the native troops of Raja Sahib advanced boldly to the attack. Unsupported as they were by the French contingent which strangely kept aloof they mounted the north west breach passed the first trench, and charged the English drawn up to receive them. They were however received with such a terrible and continuous fire, spare muskets lying handy for that purpose, that after vain efforts, in which they

lost their gallant leader, a Mahomedan, they recoiled. The attack on the south west made by means of a raft thrown across the wet ditch was equally unsuccessful and at the end of an hour it became evident to Rajah Sahib that his attack had failed. His loss amounted to 400 men, slain whilst gallantly attempting to storm a fortress defended by Europeans, few indeed in number but strong in discipline and commanded by a hero. No greater proof indeed could be given of the means at the disposal of the defenders, than this, that although not exceeding 200 including sepoys, in number, they besides serving five pieces of cannon fired off during this hour's attack not less than 12 000 musket cartridges! \*

The following morning, Raja Sahib raised the siege and retreated on Vellore accompanied only by the French and the troops which had been sent from Trichinopoly, all the rest deserting him. Here we will leave him whilst we describe the effect of this repulse on the French leader himself.

We have already stated that Dupleix had never regarded the attack upon Clive as aught but a very minor and subordinate part of his great scheme. He had strenuously opposed the weakening of the force before Trichinopoly for the purpose of aiding in any such enterprise. And when, owing to the fears of Chanda Sahib the native portion of that force was temporarily diminished he had reinforced it by 100 Europeans, chiefly with the view of enabling it to contend without certainty of defeat against the English. His hope was that, thus reinforced, Raja Sahib might detain Clive in Arcot until Trichinopoly should be taken. It was a well-considered policy the success of which was seemingly certain provided only that skill and energy directed the movements before the walls of Trichinopoly.

We see then Dupleix in this crisis, fully alive to all its dangers detecting the able conceptions of Clive and taking the measures which properly carried out would have thwarted them. We see him so far from being deterred by Clive's march upon Arcot from prosecuting the siege of Trichinopoly, pressing that siege with greater eagerness than ever at the same time that he offered to Clive's movement an opposition just sufficient to secure for himself time to carry out, unmolested the great object of the campaign.



We left Law before Trichinopoly at the head of a force of about 400 Europeans. All the energies of Duplex had been from the first directed to increase the number of these to a force that should be irresistible. Every detachment that landed from Europe every party that could be called in, was used for this end. They were all sent off to the plain before Trichinopoly. So energetic was Duplex so earnest and enthusiastic in all he did, that in an incredibly short space of time Law saw himself at the head of one of the largest disciplined forces that had till then operated in the interior of the Carnatic amounting of all arms to nearly 900 Europeans and 2,000 disciplined sepoy, whilst encamped beside him, aiding him in all his undertakings was the native army of Chanda Sahib, in number nearly 30 000 a very large proportion of whom were horsemen. Besides these he had a park of fifty guns many of them of a very large calibre. The most pressing orders were at the same time sent from Pondichery to push on the works, in order to capture the place before the operations of Clive should make themselves felt in the vicinity. Law in consequence made a great show of activity and succeeded in submitting the garrison to a strict blockade. This however was all he did do. The man so bold and vaunting in council whose pre eminent object in life seemed to be to impress others with a sense of his great cleverness showed himself in command of an army to be absolutely incapable. Over bearing to his officers suspicious of everybody haughty vain and obstinate, unenterprising himself and checking enterprise in others. Law gained no confidence and conciliated no opinions. Like an obstinate commander deficient in vision who unable to see himself distrusts the eyesight of others and thus allows opportunity after opportunity to slip away so did Law head strong and incapable persist in measures that were useless and reject counsels that might have led to easy victory. The English that garrisoned Trichinopoly were led by Captain Gingen, of whose inferior abilities we have already spoken. They were animated by a spirit far less buoyant than that which had induced the soldiers of Clive to dare so many dangers and difficulties. They were dispirited by defeat, by retreat, and by being cooped up in a fortress which they appeared to have but small chance of defending with success. An assault on the part of Law would almost certainly have succeeded. This was pressed upon him from all sides by Chanda Sahib as much as by Duplex. But confident in his own cleverness, despising or affecting to despise the opinions of others, Law clung to his own courses, and

adhered to the safe blockade which he thought, would in the end pull him through

Yet even in this course he showed singular blindness, and extraordinary deficiency in even the ordinary arrangements of his camp. The ruler of Mysore encouraged by the resistance which Trichinopoly was making and by the diversion of Clive had sent a detachment of 500 Mahratta cavalry to harass the besiegers. These not only defeated a small body of native horse but were even successful thanks to the want of order and arrangement in the French camp and of spirit and enterprise on the part of the French leader in entrapping sixty French dragoons into an ambuscade and in destroying all but ten of that number. They were so encouraged by this success, that their leader Innis Khan proposed to Captain Gingen that he should march out with his English and attack the united army of the besiegers. If Gingen would do this and would undertake with his troops to engage the French he promised, on his part to encounter the entire cavalry of Chanda Sahib though out-numbering them in the proportion of twelve to one. This was at first declined. On receiving however a reinforcement of 1 000 men Innis Khan renewed his proposition. Captain Gingen being still unwilling the commander of the Mahrattas did not hesitate to tell him that he and his soldiers were of a very different nature from the men he had seen fighting so gallantly at Arcot\*. Captain Gingen was apparently confirmed in his objection to active measures by the ill success of a small force he had detached against the little town of Kistinwaram thirty miles from Trichinopoly occupied by the French—the force having been repulsed with some loss and their leader, Captain Cope, mortally wounded.

The measures of Law unenterprising as they were seemed then to be on a fair way to success. But he forgot that there were other actors on the scene besides himself. He forgot that the time, with which he was trifling might be used to good purpose by his opponents. He forgot or, at least acted as if he forgot that his army and the fortress of Trichinopoly were not isolated from all the world that if he looked upon its capture as the final seal to French domination others were determined to use every means in their power to prevent it. Thus it happened that he slumbered whilst others acted. When a little energy would have given him possession of the coveted prize he was content to act with more caution and more reserve than might have been expected even from a Nicias, nay more, he absolutely

threw away chances courted defeat and, by his conduct, gave to his rival that empire of the East which, but for him, might have been gained, for at least a time, by the French. For whilst Law disregarding the entreaties of Dupleix slumbered before Trichinopoly, the daring energy of Clive was gaining for England advantages and resources of which the French were thus deprived. No sooner had the youthful victor of Arcot seen the besieging army of Raja Sahib melt away from before him than, having received the reinforcement commanded by Captain Kilpatrick and having made the necessary arrangements for the defence of the capital he had conquered he set out in pursuit of the enemy at the head of 200 Europeans, 700 sepoys and three pieces of field artillery. Notwithstanding that his Mahratta allies venturing too close to Vellore had sustained a severe defeat at the hand of the French who were with Raja Sahib and that a reinforcement of these from Pondichery had effected a junction with their countrymen, raising their number to 300 Clive did not hesitate to move in their direction. After a forced march of twenty miles he came up with them as they were preparing to cross the Arni. With their usual gallantry the French turned to meet their rivals but though somewhat superior in numbers they were absolutely deficient in that one necessity, the possession of which by the English would have made up for even greater disparity. The force under Clive consisted of 200 Europeans 700 sepoys and 600 Mahratta horse. With the French 300 in number were 2500 foot and 2,000 horse levies. But whilst they had no general, the English had Clive. The consequence was that the French badly posted and having no competent commander, were completely outmanœuvred. Charged in their flank at a critical period of the action, they were forced to abandon the field and with it their guns, to the enemy. They retreated thence hastily on Gingee with a loss of 50 Europeans and 150 natives killed and wounded. The English lost not one of their own countrymen and but eight sepoys, of the Mahrattas about 50 were missing\*.

Encouraged by this success Clive marched on Conjeveram which had been meanwhile retaken by the French, reduced it after a smart resistance and then returned to Fort St David to concert measures for the relief of Trichinopoly. Whilst engaged in this important design, intelligence reached the Presidency that Raja Sahib, taking advantage

of Clive's absence, had recovered Conjeveram, and had ravaged the country up to within a few miles of Madras itself. Determined to clear the province of this enemy before venturing on the greater achievement Clive left Fort St David at the head of a force which though inferior to that of the enemy, was yet considerable. The terror of his name preceded him. Raja Sahib and his French allies at once abandoned the vicinity of Madras and retreated to an entrenched camp at Vendalore. Here, however, they seem to have conceived the design of surprising Arcot, whilst Clive should be engaged in the reduction of Conjeveram. Strengthening this place therefore they moved by forced marches upon Arcot. But Clive, suspecting their design managed to procure the surrender of Conjeveram on the first summons and then hastened in pursuit of the enemy. He found them a little after sunset, strongly posted at Covrepauk about two thirds of the distance on the road to Arcot evidently determined to resist his further progress. This time their artillery was so skilfully posted and committed such havoc amongst the English gunners that it appeared as though Clive would for the first time be forced to retreat. By means of one his officers however who could speak French the English leader, at the moment when matters seemed desperate, succeeded in deceiving the enemy's sentries and in bringing a large force into their rear. These suddenly firing a volley caused such a complete panic amongst the French that they hastily abandoned their position and their guns and fled as they best could. Many of them were taken prisoners and by this artifice an impending defeat was converted into a victory till then the greatest of the war. Another proof if any were required that valour and strong positions are useless if there is a general to attack, and none to defend them.

From the scene of this victory Clive marched to Arcot and thence in the direction of Vellore. Whilst however contemplating the reduction of this place which was held by Mortaz Ali on behalf of Chanda Sahib he received instructions to repair instantly to Fort St David there to undertake immediate measures for the relief of Trichinopoly the garrison of which was suffering from the close blockade persisted in by Law. On his way to that place he came upon the site of the victory gained by de la Touche over Nazir Jung, on which the rising town of Dupleix Futtehabad \* was already

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\* Mr Orme speaks of this town as having been built to commemorate that detestable action the death of Nazir Jung. The prejudices and

struggling into existence. Allowing for the moment his hatred of the great French statesman to stifle his more generous instincts Clive rased the town to its foundations. He then marched in all haste to Fort St. David. Here he found that the governor had been unsparing in his exertions to make provision for the contemplated enterprise. So great indeed had been his energy that in three days after his return Clive found himself in readiness to march towards Trichinopoly.

This was on the 25th March 1752. The following day however brought once more to the shores of India the tried veteran Major Lawrence. His arrival caused a delay of two days as well as some change in the position of affairs. On the 28th however all was in readiness and a party of 400 Europeans and 1100 sepoys, with eight field pieces escorting military stores and provisions set out that morning for Trichinopoly under the command indeed of Lawrence but with Clive as his trusted subordinate.

It is time now that we should return to Dupleix. He it was who, at the time when he learned that Clive had proceeded to Fort St. David to concert measures for the relief of Trichinopoly, had considering it no disgrace to learn something even from an enemy instigated Raja Sahib to make that raid into the English territories the results of which we have recorded. Though unsuccessful it cannot be denied that it eminently deserved to succeed that it had almost succeeded, when at the moment when victory was in their grasp the carelessness of the French commander at Covrepauk threw it absolutely away. Dupleix was terribly mortified at this failure. For the moment indeed it entirely upset his plans. The feat at Covrepauk had not only deprived him of soldiers whom he could scarcely spare of field artillery that was priceless but it had cast down the spirits of his native allies to an unprecedented and even dangerous degree. No longer could he hope by their aid to effect a division in the northern part of the Carnatic. The English had not only gained territory but with it, of more importance, the confidence of the military class. Desertion by wholesale had taken place from the French to the English standard. More than one important satrap had renounced his adherence to Chanda Sahib, and taken the oath of fidelity to

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passions of the hour may have disposed contemporary Englishmen thus to regard it but the statement is incorrect. The town was built to commemorate the triumph of Dupleix's policy brought to its crowning point by the victory of de la Touche. The death of Nazir Jung was an incident of that victory for which the French were not responsible.

the besieged Mahomed Ali. And this was the consequence of the victories of Clive, of the repeated defeats sustained by the French, more especially of the fatal disaster at Covrepauk. To see advantages there so nearly gained, so carelessly abandoned, was more than even the composed spirit of Dupleix could bear. Those of his own officers indeed who he could have made responsible for the disaster had either been captured or killed. Upon Raja Sahib, whose pusillanimity and incapacity had been conspicuous the weight therefore, of his anger fell. For several days he refused to see him, and when at last they did meet he showed towards the son of Chanda Sahib a feeling of contempt, which it was impossible for him, practised as he was in dealing with native princes to conceal.

But though mortified beyond measure at the ill-success of plans which so well deserved to succeed, Dupleix still adhered to that bold and daring policy which he justly regarded as more than ever necessary to the attainment of his vast plans. What had been lost in the northern Carnatic might be gained in the south. Trichinopoly might make amends for Arcot and Covrepauk. And now Trichinopoly was apparently at its last gasp. Without money with little ammunition, with deficient and failing supplies with a European commandant devoid of ability, the English garrison and the Mogul soldiers and their leader had already begun a course of recrimination, which, occurring between allies, is the almost invariable precursor of disaster. A little more energy on the part of Law, and the place must have fallen. It was at this crisis that intelligence reached Dupleix of the measures that were being concerted at Fort St. David. The number of the men destined for the relief of Trichinopoly the nature of the stores they were to escort the probable date of their departure—all were known to him. He instantly took a resolution worthy of himself. Detailing to Law the information which he had acquired he sent him, at the same time the most stringent orders to mass a great number of his troops, leaving only a few to maintain the blockade of Trichinopoly, in order to attack and intercept the enemy's convoy. These orders were reiterated and enforced in successive despatches. The very mode in which they could be carried out was indicated with a clearness which left nothing to desire. He sent him besides all the troops that had become available by the cessation of campaign in the North Carnatic enjoining upon him that upon this stroke depended the issue of the campaign,—that the English beaten and the convoy captured, Trichinopoly must surrender, French influence must

triumph, that failing in this blow France would have the mortification of seeing her power, her influence, her authority so dearly gained and till then so vigilantly maintained, transferred to her hated rivals

It was indeed a grand opportunity Had there been a Bussy instead of a Law in the French camp, who can doubt how he would have executed the instructions of his superior? But unfortunately for the real interests of France, Bussy, the true soldier was far away at Aurungabad and Law, the pretender, was before Trichinopoly It is vain indeed to speculate whether in the concussion between the rival and not unequal powers of Bussy and Clive the latter or the former would have come forth the victor This at least is certain that the youthful hero who laid the first foundations of English empire in India though displaying on all occasions military talents and resources of the very highest order never did meet on the field of battle an opponent of even ordinary merit

We will now see how Law used his opportunity The distance from Fort St. David to Trichinopoly being about 150 miles and the route necessitating the crossing of eight considerable rivers, amongst which were the Valaru, the Coleroon, the Veller the Pudu Cauveri and the Cauveri, the latter three times Law could calculate to a nicety the time and the means for best attacking and crushing the enemy The necessity for the passage of so many broad and rapid rivers multiplied his opportunities for defending them But he judged it would seem wisely, that he would himself run less risk, and would ensure the more complete destruction of the enemy if he were to allow him to approach within an easy distance of Trichinopoly and were then to engage him in a position in which his defeat would be certain So far Law judged correctly and wisely But in the execution of this plan he failed lamentably Instead of detaching from his own force a body of troops sufficient in number to render success a matter of certainty he sent to meet a party of 400 Europeans and 1,100 sepoys, commanded by such men as Lawrence and Clive a force consisting of but 200 Europeans and from 3 to 400 natives He did this too at a time when the troops at his own disposal, independently of the levies of Chanda Sahib consisted of 900 Europeans and about 2 000 sepoys Well could he have spared one-half of this number for the important service he had in view! Far safer would it have been for him to have undergone the small risk of a sortie on the part of the English garrison, commanded, as it was, by a man whom recent experience had proved to be unenterprising, than to have courted defeat by sending against Lawrence a force which must have been beaten. He

might under the circumstances have safely left his camp under the protection of one-fourth of his army, and have marched with the rest to crush Lawrence. So would have acted a real general \* but experience has abundantly proved that over caution and incapacity in the field are the almost invariable accompaniments of superciliousness and self laudation in the cabinet.

Having persuaded himself that he could only, with safety to his main force detach 250 Europeans and 3 or 400 natives to crush 400 English and 1100 sepoys commanded by Lawrence and inspired by Clive Law sent them to occupy the fortified post of Coiladdy, on the northern bank of Cauveri river. The position was not ill-chosen and had it been occupied in sufficient force, would undoubtedly have proved an unsurmountable obstacle to the advance of the English. A glance at the map will show the inherent strength of this position. The advance of Colonel Lawrence must necessarily take place between the two branches of the river Cauveri. Of these, the upper branch was defended by the fortified post of Coiladdy on its northern bank unassailable by the English. Between the northern and the southern bank the distance was less than half a mile. Possessing Coiladdy and having an equal or superior force available to occupy the ground between the two branches it would have been easy for the French commander to have inflicted upon an advancing enemy a crushing defeat. As however the defending force did not nearly equal in number the advancing foe, its commander resolved not to attempt anything desperate. He considered however that as the ordinary road led directly within shot of Coiladdy, and that the English would probably follow it, he would be able, not only to inflict upon them considerable loss in men but to capture or destroy a great portion of their convoy. Chance, at first, seemed to favour his designs. On the 7th April Major Lawrence misled by his guides, took his force even nearer to the upper branch of the Cauveri than would have been the case had he followed the ordinary route and found himself all at once under the fire of the guns of Coiladdy. These did considerable execution and before he could move out of range he had lost 20 Europeans and his convoy and baggage had been thrown in great disorder. This was the time which the French force had it been strong enough might have used with crushing effect. But its commander had apparently

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\* The behaviour of Lord Strathnairn before Jhansie in 1857 under circumstances not dissimilar presents a striking instance of the manner in which an enemy marching to relieve a besieged place may be met and destroyed



imbibed the hesitating and unenterprising nature of his chief. Partly on this account, partly doubtless because he felt himself tied down by the orders he had received, he remained stationary in his stronghold. Major Lawrence therefore was able not only to succeed in extricating himself from his position but in safely conveying that portion of the convoy \* he had with him to within ten miles of Trichinopoly.

Thus failed and failed deservedly, Law's first attempt to crush the advancing English. Like all the measures of weak men it was a half measure, and was therefore ineffective. Fearing to run the risk of an attack from the garrison should he detach a strong force to meet Lawrence, he sent only a weak one, and thus incurred the greater risk of losing his whole army. For he exposed his force, first to the risk of being beaten in detail secondly, to its being overwhelmed by the combined forces, superior in numbers, of Lawrence and Gingen. To avert a very small risk therefore he ran a very great one, and drew upon his force the destruction in which a bolder course of action would most probably have involved the English. It is a crisis of this nature which really tries a man, which tests the material of which he is made. Law failed because with all his pomposity and arrogance, he was essentially a man of a limited intellect and narrow views †.

His next measures appear to have been conceived in no abler spirit. Receiving intimation from the commandant of the detachment at Coiladdy that he had been unsuccessful in preventing the advance of the English, it was even then possible for him, commanding as he did the high road from that place to Trichinopoly, as well as the country in its neighbourhood, to atone by a combined attack for his previous inaction. But although he had for some time been well acquainted with all the movements of Major Lawrence, he had made no effort to mass his forces. They lay scattered in the various posts he had assigned them. When therefore the news reached him that the English had passed Coiladdy, he was for the moment, thanks to his own negligence, entirely

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\* He had left the remainder the previous day at Trichinopoly on the south of the upper Cauvery a post belonging to the king of Tanjore.

† We are well aware that Law in his "*Plainte contre le sieur Duplex*" attempts to justify himself but admitting his facts he must still be condemned. Had he as he asserts, only 600 Europeans he should either have raised the siege, or have marched with those to crush Lawrence. Any course would have been preferable to that which he adopted.

without the means of offering an instantaneous obstruction to their further advance. Seeing nevertheless the great advantage over him which the enemy would certainly obtain, should they effect a junction with the garrison of Trichinopoly, he hastily called in his scattered detachments prepared, when too late, to risk a general action. Such a resolution, taken twenty four hours earlier might have saved his army, and even have gained Trichinopoly.

This movement could not be effected till the following morning. All that night the detachments moved into camp and at daylight the force proceeded to take up the position assigned to it by Law, and upon which he fondly hoped the English general would march. Yet, this position although strong was in a certain point of view almost necessarily ill-chosen. Law was too close to Trichinopoly to draw up his men so as to bar the road across which Lawrence must pass for in that case he would have exposed himself to the serious danger of an attack on his rear from the garrison. He was compelled therefore to take up a position in which he could meet an assault from both parties on his front. In this view he drew up his forces in a line drawn obliquely from the village of Chucklepollam on the Cauveri to the French Rock and extended thence still more obliquely to the almost inaccessible rock of Elmiseram. As the direct road to Trichinopoly lay between those two positions Law was not without hope that the English would move upon them before attempting a junction with the garrison.

Major Lawrence however was far too wary. Marching early in the morning from Kilycottah where he had encamped the previous evening he fell in, before he had gone more than a mile, with an officer sent by Captain Gingen to inform him of the disposition made by the French. Feeling that the game was too secure in his hands for him to risk the loss of it by a premature attack on a strong position, he made a *détour* round the point of Elmiseram in the direction of the Sugarloaf Rock, near which place he was joined by 200 soldiers of the garrison under the command of Captains Clarke and Dalton. At this place therefore the junction with the garrison may be regarded as having been virtually effected.

It was just this moment when the English could no longer be assailed with advantage, when they might in case of defeat, have taken secure shelter under the guns of the fort, that the incompetent Law selected to assault them. Feebly made on his part, though supported with great resolution by the levies

of Chanda Sahib his attack did not succeed. The superiority of the French in artillery was neutralised by the superior energy of Clive, who led the English to the attack and after an interchange of cannon shot, considered, whilst it lasted, to have been hotter than any till then experienced on the plains of Hindostan the French retreated to their rock with a loss on their part of 40 men, on the part of their native allies of 300. Had not Major Lawrence, in consideration of the intense heat of the day stopped the pursuit, they would have suffered far more severely.\* Having repulsed this attack, the English marched without molestation into Trichinopoly.

No language can print the anger and mortification of Dupleix when intelligence of these events reached him. This then was the result of confiding the conduct of an army to a man whose principal credentials consisted in the super excellent opinion which, he allowed all the world to perceive he had formed of his own abilities. All his recommendations disregarded inordinate caution prevailing when the necessities of the hour peculiarly required dashing and daring tactics the English army, though encumbered by an enormous convoy, allowed to enter the beleaguered city virtually unmolested, —no serious attempt having been made to hinder them till they were under the walls of Trichinopoly! Was it for such a result that Dupleix had schemed and planned that he had pledged the rising fortunes of French India to the support of native princes who should be but the puppets of France? Was it to see the superiority in the field passing from his hands to the hands of his hated rivals to witness not only the loss of the capital of the Carnatic but a repulse from the last refuge of Mahomed Ali? He was fated indeed to suffer disappointments more bitter even than these. But up to the present moment he had been so thoroughly buoyed up by hope he had trusted that when the time came Law would show himself what he had always boasted himself to be above all he had counted so implicitly on the capture of this convoy, on the destruction or, at least, the repulse of this relieving party. To this end he had devoted all his faculties. He had been to Law the eye to see the ear to hear it was not alas for him in his power to be the mind to conceive or the arm to strike. He had given Law all the necessary information the rest being soldier's work, he had left to him as a soldier to perform. The result showed

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\* The English who fought under cover lost 14 men only from the cannonade 7 however were struck down by the sun — *Orms*

that the mere donning of epaulets does not make a man a soldier that if devoid of the intellect given by God to a man, and not, as some would seem to think, implanted in the dress he wears, that very dress and the fancied knowledge attaching to it makes the pedant more pedantic, the shallow minded and narrow more vain, more obstinate, more contemptuous of the opinion of the many wiser men who wear it not

Law had come out to Duplex recommended by letters from the directors and by his own vauntings,—the latter probably the cause of the former Had he who boasted himself as a soldier, acted even as a man of ordinary common sense would have acted it might have been pardoned him had he failed in fair fight before the genius of a Clive and the persistence of a Lawrence But it is clear that he would have failed equally before men of far inferior capacity It needed but for his opponent to be capable of advancing—a rarer quality however, than is generally supposed—and Law would have succumbed He did everything out of season and the reason was that although he wore a soldier's coat he was not a soldier

How keenly Duplex felt the bitter disappointment can scarcely be described nor will we attempt to describe it We would rather dwell on the measures which, in spite of his disappointment he adopted unhesitatingly to remedy, as far as possible the disaster His was indeed no easy position Where was he to find a general? Bussy, the only competent commander he had under him was at Aurungabad with the Subadar Law helpless at Trichinopoly Besides those two there was but the infirm d'Auteuil disabled by the climate, by age and by gout, incapable certainly of making head against the vigorous energy of Clive It seemed almost preferable to maintain Law who was at least still young, in command, than to entrust the last remains of the army to d'Auteuil

Before however he could take any measures in this respect in fact the second day after he heard of the entrance of Lawrence into Trichinopoly Duplex received from Law a despatch which threw him into even greater amazement This was to the effect, that threatened by the English and despairing now of gaining the place, he had determined to retreat at once into the island of Seringham The madness of such a scheme was patent to the far seeing vision of Duplex. It seemed to him indeed that for a general deliberately to move his forces into an island, where he

would be cut off from all communication with his countrymen was an act of which no one who had not lost his head, could be guilty. There could not, he felt, be a more dangerous, a more incompetent commander at the head of an army than the man who should propose such a step. Under such a feeling he instantly acted. Hoping that it might not possibly be yet too late to avert a great calamity he sent strict orders to Law to retreat, if he must retreat not into Seringham but upon Pondichery. With the view of aiding him in this undertaking and to be prepared at all events for the worst he strained every nerve to levy a fresh force to move towards Trichinopoly and to endeavour to effect a junction with Law. His own funds, constituting the bulk of the private fortune he had amassed during his service were freely spent for this purpose. No regard for his own interests stood in the way of the performance of his duty to his masters and to France. Thus by incredible exertions he succeeded in raising a force of 120 Europeans 500 sepoys and with four field pieces. The command of it he made over to d'Auteuil the only officer at his disposal with instructions that on effecting a junction with Law he was to assume command of the combined army. The party left Pondichery the second week in April.

Meanwhile however startling events had occurred in the neighbourhood of Trichinopoly. Law although repulsed on the 8th April in his attempt to prevent the march of the English into that fortress still occupied an extremely strong position. His right resting on the Cauveri, maintained his communications with Seringham and with the country on the northern bank of the Coleroon his centre was protected by the French Rock whilst his left extended to the extremely strong post of Blumseram on the top of which cannon had been mounted. Chanda Sahib with his troops occupied the line of the Cauveri forming an obtuse angle with the French position. Had the resolution of Law then consisted in any thing but words he might have safely awaited here the attack of the combined English force, for although he would then be fighting with a river in his rear—a most unpleasant position—yet the ground he occupied was so strong that had it been resolutely defended an attack upon it must have resulted in the defeat of the assailants. It would appear that the English commander, Major Lawrence, thoroughly recognised this fact, for he states in his memoirs that having sounded his native allies and having ascertained that on one pretext or another, they were evidently unwilling to aid him in an assault on the French position, he was extremely

concerned as to the steps he ought to adopt to force Law to retreat

Law, however, played his game most effectually. The English not thinking themselves strong enough to attack the French position unsupported by their native allies, had resolved to beat up the quarters of Chanda Sahib. For this purpose, a detachment of 400 men under Captain Dalton, moved out of Trichinopoly on the night of the 12th April, hoping to surprise the native levies. Unacquainted however with the road they found themselves at break of day in front of the strongest part of the French position between the French Rock and Elmiseram. Discovering at once the danger which they ran of being crushed by the entire French force they endeavoured to retreat without being perceived. The morning light however warned the French of their presence before they were out of danger, and the chances seemed all to be in favour of their destruction. But the sight which would have lent vigour and energy to an ordinary man which would have been used by Clive to make his own cause triumphant added terror and dismay to the palsied faculties of Law. Far from regarding the retreating English as men who by an energetic movement he could cut off and destroy he looked upon their presence there as an indication that he and his force had been subjected to imminent peril from which they had miraculously escaped. Instead then of moving to attack them he rejoiced at their retreating of their own accord. His apprehension indeed carried him so far as to direct that as soon as the English should be well out of sight preparations should be made for an immediate retreat across the Cauveri into the island of Seringham.

It would appear, indeed that this movement had been for a long time contemplated by Law for he had often insisted upon its necessity to Chanda Sahib and had even mentioned it in his letters to Duplex. But Chanda Sahib, a better soldier than Law, had not only pointed out the insensate folly of the movement but had absolutely refused to join in it, whilst Duplex though for a long time not regarding it as serious or possible had pointed out in the clearest terms that such a movement would more than any other, compromise his own force and the interests of French India. When finally he heard that it had been decided upon, he had replied, as we have already stated by an imperative order to retreat upon Pondichery and by the supersession of Law by d'Auteuil. It is difficult indeed to believe how a man in

the possession of his senses could have persuaded himself that Seringham was a proper place to retreat upon. It was, in the first place actually within long cannon-shot of Trichinopoly. In the second place, the fact of a small force remaining in an island—the river surrounding which could be crossed,—in the course of their retreat from a superior force, was surely to invite an enterprising enemy to cut them off to force them in fact unless relieved, to a surrender. To attempt such a movement in the presence of a Clive was a species of folly which that man only could have committed whose nerves and whose senses had been utterly prostrated. Of all places that could have been selected for such a purpose, Seringham was without exception, that one, which most completely shut the door of hope on the force occupying it.

Yet this was the place to which Law had resolved, not by a sudden inspiration of folly, but after many days of painful consideration to carry over the French army. But though the matter had been long pre-determined in his own mind, he had made no preparations for carrying his plan into effect. Perhaps he had hoped that after all it would not be necessary. This at least is certain that up to the moment when the appearance of the English retreating from before his own position brought so vividly to his own mind the idea of the dangers that might be in store for him on the right bank, not a single preparation for that retreat had been made. Nevertheless, bent on effecting it he sent to Chanda Sahib and to him communicated his resolution. This faithful ally of the French power received the intelligence with anger and disappointment. Not he alone, but his principal commanders, opposed it with all their resolution. Better far they said, to meet defeat and death in open action than to retreat to a position in which surrender must be necessitated. But all their remonstrances remained without effect on the paralysed spirit of Law. He would retreat, he said, they might act as they chose, and he issued orders at once to carry out his resolution. Chanda Sahib though unconvinced, though despising the man, would not, at that dark hour, abandon the nation that had so long supported him. He might have escaped, but preferring to cast in his lot with the French, he accompanied them across the Cauveri.

Great was the confusion of the retreat. Not a single preparation had been made for it. The provisions, necessary for their support in Seringham, were abandoned and burnt. Much of their

baggage was left behind. The guns were with great difficulty transported. However, after infinite labour, the French troops and those of Chanda Sahib found themselves in occupation of Seringham, a detachment of the former only having been left to guard the rock of Elmiseram which it would have been wiser to abandon with the rest of the position.

The natural consequences of this movement were soon apparent. First ensued the capture of Elmiseram, effected on the 18th April by Captain Dalton, after a faint resistance. Next, the movement which Duplex and Chanda Sahib had alike foreseen, the detaching of a portion of the English army to the northern bank of the Coleroon in order not only to cut off their supplies, but to sever their communications with Pondichery. This measure was suggested to Major Lawrence by Clive, and the former on consulting his native allies regarding it found to his satisfaction that it met with their approval conditionally on the command of the English section of the force being entrusted to the conqueror of Arcot. This matter having been settled a detachment consisting of 400 Europeans, 700 sepoys, 3 000 Mahrattas, 1 000 Tanjorean horse with eight pieces of artillery crossed the Cauveri and Coleroon on the night of the 17th April and on the following morning took up a position at the village of Samiavaram nine or ten miles north of Seringham and on the high road between that place and Pondichery. This masterly movement owed its success as much to the boldness of the English as to the nerveless despondency of the French leader. Had Clive been in the position of Law what an opportunity here presented itself of placing the English in the position in which they had hoped to pin the French, by crossing the Coleroon and taking them between the Seringham force on one side and that of d'Auteuil on the other. But all spirit and sense had apparently fled from the counsels of Law. He acted as though he had but one object—that of delivering himself and his allies, bound hand and foot, to the enemy.

Meanwhile d'Auteuil, who had left Pondichery on the 10th April at the head of 120 Europeans, 500 sepoys and four field pieces reached Ootatoor fifteen miles north of Samiavaram, on the 25th of that month. Here he learned the situation of affairs that Law was cooped up in Seringham, and that between Law and himself lay Clive at the head of a superior force. Though old, infirm, and gouty d'Auteuil had still spirit left enough in him not to be disheartened by these tidings. He had been sent expressly to relieve Law, and he



could not leave him to himself without at least an effort on his behalf Accordingly, he resolved to make a *détour* so as to avoid Samiaveram, and thus to reach the Coleroon without molestation from the enemy He sent intelligence to Law of his intended movement, but, unfortunately for him, one of his messengers was captured by Clive

Ignorant of this however d'Auteuil set out on the evening of the 25th taking a route to the westward but he had not proceeded far before intelligence reached him that Clive, apprized of his movements, was on his march to intercept him he accordingly returned to Ootatoor Clive learning this, moved back upon Samiaveram Meanwhile however, Law had learned from one of the messengers sent by d'Auteuil of his intended march Certain information reached him at the same time of Clive's intention to intercept him Here was a splendid opportunity By making a forced march of ten miles from Seringham with his whole force, he might seize Samiaveram whilst Clive should be engaged with d'Auteuil and then press on to crush the former in the field. Of the many chances granted to the French leader this was the last and not the least tempting—not the least likely to lead to great and important consequences To have even a probability of success however it was requisite that Law should move with the bulk of his force and should move with the rapidity of lightning But this unfortunate leader, though a little braced up by the intelligence of the approach of d'Auteuil was still incapable of real vigour or energy Instead of moving himself at the head of his force, he detached only 80 Europeans of whom 40 were English deserters and 700 sepoys\* to carry out a scheme upon the success or ill success of which depended the domination of the French or English in India.

This detachment arrived at Samiaveram after Clive had returned from his fruitless search after d'Auteuil Little thinking from his experience of the character of Law that there was the smallest fear of an attack from the side of Seringham Clive had made no preparations to meet one and had gone quietly to bed The French detachment meanwhile had succeeded by means of the deserters who formed a part of it, in persuading the English sepoys that they had been sent by Major Lawrence to reinforce Clive, and they thus obtained entrance into the very heart of the English camp, before the presence of an enemy was suspected there,

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\* Orme

and whilst Clive was still sleeping. Yet sleeping though he was, the presence of that one man on the side of the English alone made the difference between victory and defeat. Had he been the leader of the French none can doubt but that they would have that night crushed their enemies in their camp and have recovered all the results that had been so wilfully thrown away. But Clive was the leader of those opposed to them and never did he vindicate so completely his title to be a leader of men, a prince amongst his people as on that eventful night. Never did any one under such circumstances display a presence of mind more perfect a courage more brilliant and ready. The circumstances were almost marvellous. The English force at Samiaveram occupied two pagodas, about a quarter of a mile distant from one another round these were encamped the natives. Now the French force had advanced through the natives and had penetrated to the lesser pagoda in an open shed close to which Clive was sleeping in his palanquin. Here being challenged they fired volleys into each place one of them narrowly missing Clive and most effectually awakening him. They then moved on occupied the pagoda and drew up the sepoys in front of it—these keeping up an incessant fire in the supposed direction of the enemy. Meanwhile, Clive on the first alarm had run to the greater pagoda and marched up 200 of his Europeans to see what could have caused the disturbance still considering it a false alarm of his own sepoys, and never dreaming of an enemy. Approaching close to the lesser pagoda he went among the French sepoys still believing them to be his own and ordered them to cease fire. He did not even discover his mistake when one of them ascertaining him to be an Englishman wounded him in two places and then when attacked by Clive ran towards the lesser pagoda. Clive followed him only however to find himself in the presence of six French soldiers who called upon him to surrender. Then, for the first time, the whole truth burst upon him. Comprehending it all in a moment he called upon the Frenchmen to yield in their turn, told them he had even come to offer them terms and invited them to see for themselves his whole army drawn up to attack them. Completely deceived by this bold and ready artifice, three of the Frenchmen at once laid down their arms, the remainder communicated Clive's terms to the party in the pagoda. These however refused to surrender and it was not till after a most sanguinary contest in the course of which Clive had another narrow escape

caused mainly by the desperation of the English deserters, that they yielded to terms. The sepoy, meanwhile had marched out of camp but they were pursued by the Mahratta cavalry, and cut to pieces, it is said, literally to a man.

After this repulse the situation of the French in Seringham became desperate indeed. Entirely to cut them off from all relief as well as from all hope of escape, possession was taken by the Tanjorean allies of the English of Coladdy on the 7th May. There then remained only M d'Auteuil with whom to deal. To rid that part of the country of him Major Lawrence, on the 20th, despatched Captain Dalton at the head of 150 Europeans 400 sepoy 500 Mahrattas and four field pieces,—leaving Clive's detachment entire at Samiaveram.

Meanwhile d'Auteuil scared by the ill result of his attempt to turn Samiaveram and of the well meant but ill supported attempt of the Seringham party to surprise that place had remained quietly at Ootatoor waiting his opportunity. The opportunity came, but did not find him capable of taking advantage of it. In fact Captain Dalton's party, after a skirmish in front of Ootatoor which had no decisive results had advanced at once upon that place. Late experience had shown the English that the surest way to victory was to advance straight on—to destroy by that advance the *morale* of the enemy and thus to more than half beat him before the actual fight had begun. Acting on this plan Dalton made such a display of his troops maintaining only a few with his guns and sending the infantry to attack the enemy in flank that d'Auteuil imagined that he had not simply a detachment, but the whole force of Clive, before him. Having this impression all his intellect fled, and he became the slave of his fears. Had he been as bold as Dalton a resolute advance on the guns must have decided the action in his favour. But fear not physical but moral shutting his eyes and taking away his senses, he allowed himself to be deceived by this shallow device and notwithstanding that he did actually repulse the English from Ootatoor he abandoned that place in the night and fled, unmolested, in the direction of Pondichery, thus leaving Law to his fate, to England an unlooked for triumph.

Whilst this was going on Law noticing from the watchtower of Seringham the march of Dalton's troops concluded that they must belong to Clive's force and this time acting with boldness, crossed the river with the bulk of his army, hoping to gain Samiaveram. But Clive was not the man to expose himself

twice to the chance of being surprised. He at once marched to meet him and came up with him just as he had crossed the Coleroon. It was not for Clive, under the circumstances, to seek an engagement. The enemy was already in the toils. A battle alone could extricate him. On the other hand every circumstance should have induced Law to court an action. It was, as we have said, his only chance, and here the numbers were rather in his favour. But—he did not fight—he returned to Seringham, only alas for French interests to surrender.

The capture of Pitchandah a fortified pagoda in the northern banks of the Coleroon opposite Seringham completed the investment of the French and took away from them the opportunity till then open to them of communicating in any way with the direct road from Pondichery. This place having been gained still further to deprive them of all hopes of reinforcement from d'Auteuil, Clive marched in search of that officer and coming up with him on the 8th June at Volcondah, the native commandant of which place had been secretly gained by the English he compelled him with his whole force to surrender.

Thus deprived of his last hope what was there for the unfortunate Law to do? He, poor man knew well in his heart of hearts, to what end recent events had been tending and for some days past he had been well aware that there was no alternative between cutting his way out and a surrender. Under such circumstances great men act small men on the contrary allow themselves to be acted upon by every vague rumour no matter whence it may have arisen nay they go so far as to delude themselves into the belief that somehow—how they cannot say—all will in the end be well. Thus it was with Law. He allowed himself to be deluded by all kinds of vain imaginings for a long time it was d'Auteuil's advance then it was the hope of reinforcements from France—sometimes one thing sometimes another. He appears never to have bethought him that a man's energy is given him to be employed that there is no conjuncture however trying from which a man by the exercise of that quality may not extricate himself that to depend on chance is altogether unworthy of a real man. Had he only dared to look facts in the face, he must have seen that he must surrender if he could not escape. His provisions were fast failing him, his native allies were deserting him in hundreds but still he had his Europeans. In the beginning of June, there yet remained to him 750 of these, in addition to about

2 000 trained sepoy's, and 3 or 4 000 native levies who still remained faithful to Chanda Sahib. With these he might easily have taken advantage of the first full of the Cauvery to attack Major Lawrence's camp on the south of the river, to the troops guarding which he was in numbers vastly superior. Overpowering this he might have thence cut his way without much chance of molestation to Karical. In vain did Chanda Sahib over and over again implore him to have recourse to some such means. He could not make up his mind he preferred to depend on accidents and chances,—and he was lost!

Nevertheless it must not be supposed that he was so base as to be indifferent to the fate of that faithful supporter of French interests. Law knew full well that but one result to Chanda Sahib would follow his surrender to the now triumphant Mahomed Ali. As for surrender to the English that was absolutely out of the question for France and England were not at war. In the contest between Mahomed Ali and Chanda Sahib the French and English were not principals, they were simply hired mercenaries engaged on opposite sides. Whichever party might be victorious neither then could claim the open direction of affairs. A proposition of surrender to the English could not therefore and would not have been entertained. As for Mahomed Ali it was not to be expected that brought up as he had been to regard all means lawful to accomplish the death of a rival he would hesitate as to the punishment to be meted out to one who had proved himself so persistent, so daring, so fertile in expedients as the French protected Chanda Sahib. Having rejected all bolder counsels and having made up his mind to surrender Law busied himself therefore to find the means of saving the life of his ally. For this purpose he entered into negotiations with Manockjee general of the army of the king of Tanjore. This chieftain readily accepted the terms offered, and having received a stipulated sum of money in advance with the promise of more to follow having likewise sworn solemnly to protect the life of the fugitive Nawab Manockjee on the night of the 11th June sent an officer with a palanquin to escort him to his camp. No sooner, however, had the unfortunate man arrived there than he was violently seized loaded with irons and placed under a guard. The next morning a conference was held to determine his fate, at which Major Lawrence was present. There can be no doubt whatever that a firm persistence on the part of that officer, more especially on the second day—after the English

had become, by the surrender of Law, absolute masters of the situation,—would have saved the life of Chanda Sahib Major Lawrence himself asserts that in the course of the debate as to the manner in which Chanda Sahib should be disposed of he himself was at first silent but subsequently proposed that he should be made over to the English This however was objected to and no resolution was arrived at The second day after however when Manockjee sent to enquire from him whether he seriously desired to have charge of the prisoner the English commandant passed upon him virtual sentence of death by declaring that he did not wish to interfere further in the dispute regarding his disposal \* A few hours later Chanda Sahib was stabbed to the heart by order of Manockjee and his decapitated head was sent to his triumphant rival

But before this tragedy had been consummated Law himself had surrendered Resting on the broken reed of delusive expectations he had allowed every opportunity to pass

\* This indifference—to use a light term—of the English commander to the fate of Chanda Sahib has been very gently treated by most English historians The statement however of Orme biased as that writer is against the French shows how completely it was in the power of Major Lawrence to have saved Chanda Sahib had he chosen to stretch forth his hand Orme after alluding to the contest between Mahomed Ali the Mysoreans and the Mahrattas for the possession of the person of Chanda Sahib writes thus — Terrified at the commotions which would inevitably follow if he gave the preference to any one of the competitors he (Manockjee) saw no method of finishing the contest, but by putting an end to the life of his prisoner however as the Major (Lawrence) had expressed a desire that the English might have him in their possession *he thought it necessary to know whether they seriously expected this deference* and accordingly on the same morning that the pagoda surrendered went to the Major *with whom he had a conference which convinced him that the English were his friends and that they were resolved not to interfere any further in the dispute* He therefore immediately on his return to Churkly pollam put his design into execution, by ordering the head of Chanda Sahib to be struck off It is unfortunately clear from this that Major Lawrence did connive at the death of the unfortunate prisoner Professor Wilson states in deprecation of this verdict that at that period the English were not so well assured of their power as to pretend to dictate to the native princes with whom they co-operated It is clear that in the case now under notice it was not at all a question of dictation It is too evident that a word from Major Lawrence to Manockjee would have changed the fate of the victim How can we avoid the simple conclusion to be drawn from the fact that Manockjee went straight from the presence of Major Lawrence to order the execution of Chanda Sahib?

by, until at last the arrival of a battering train from Devicotta placed it in the power of the English to compel him to submit to their own terms. After the usual amount of protests, and threats to defend himself to the last should those protests not be acceded to, it was finally agreed that the French army should surrender prisoners of war, that the officers should be liberated on giving their parole never to serve against Mahomed Ali and his allies, that the English deserters should be pardoned that all the arms artillery and munitions of war should be made over faithfully to the English commandant, and that the island itself should be surrendered. These conditions were faithfully carried out. On the morning of the 13th June 35 officers, 785 Frenchmen, and 2 000 sepoys laid down their arms and surrendered themselves prisoners to the English commander, this latter acting not on his own account but as representative of Mahomed Ali. There were given up at the same time forty one pieces of cannon and an immense quantity of ammunition.

Thus fatally ended after intense labour and anxiety to its projector, the expedition which but eleven months before had been despatched full of the certainty of success, from Pondichery. What a termination to prospects which shone with such brilliancy in the outset what a sequel to plans which seemed at the time of their projection to be proof against failure! Then there was but one barrier to French domination in the Carnatic. They possessed commanding resources a ruler whose influence with the natives was unparalleled, and above all the prestige of victory. Opposed to them was a pretender deserted by his allies but occupying a fortified town and a mere handful of dispirited English. But at the end of eleven months what a different picture do we behold! The pretender has become the *de facto* ruler the handful of dispirited English the arbiters of the Carnatic the victorious French army are prisoners of war. Whence this revolution? Can we discern in the steady mind of Dupleix any symptoms of faltering any signs of decay? On the contrary. Never had he shown more unflinching resolution on no previous occasion did he manifest a more zealous energy. His orders to Law his encouragement of Chanda Sahib, his attempt to infuse energy into d'Auteuil show the ardour of his spirit, the correct aim by which his views were guided. Had his orders been carried out, had even common prudence and energy been displayed by his commanders, his policy must have triumphed the genius of France must have conquered.

If, then we look for the causes of a contrary result, we must turn our eyes to another quarter. Dupleix was the civil governor, possessing a power of devising plans, even military plans—for there is nothing in military plans which genius though not specially trained to warfare, is unequal to master—such as has been accorded to but few men in any age. His was the eye to see the brain to conceive—but he possessed not in addition the arm to strike. To carry out his vast plans he was compelled to confide in others, and it happened, unfortunately for him, that whilst at this period, those who alone he was able to employ were men of singularly feeble intellect deficient in energy and enterprise dreading responsibility, afraid to run small risks and therefore exposing themselves to great dangers his principal adversary was a man of vast and comprehensive genius of an aptitude for war surpassing all his contemporaries of a ready audacity and prompt execution in the field such as have never been surpassed. Whilst then the designs for the French campaign were most masterly—being conceived in the brain of Dupleix—their execution was feeble beyond the power of description—that execution being left to his lieutenants. The orders the letters the entreaties of Dupleix stand living witnesses in the present day of the exactness of his conclusions. Had they been obeyed—and it is clear that obedience to them was easy—Trichinopoly would have fallen whilst Clive was still besieged in Arcot or, had untimely occurrences prevented that great triumph, a literal obedience to his instructions would have ensured the interception and defeat of the relieving forces of Lawrence and Clive on the banks of the Cauvery. Who could have believed that imbecility and fear of responsibility would ever find the level reached in the manufacture of a Law—imbecility and fear of responsibility so clear as to draw even from the English historian jealous as he is on all occasions for the reputation of the English leaders the remark, that “it is indeed difficult to determine whether the English conducted themselves with more ability and spirit or the French with more resolution and ignorance after Major Lawrence and Captain Clive arrived at Trichinopoly?” \*

To judge fairly and candidly the degree of merit or demerit attaching to Dupleix at this crisis of the fortunes of French India, we propose to examine his conduct after the occurrence of the misfortunes we have recounted. In what



a position was he then! Law with the main body of the French troops beaten and taken prisoners d'Auteuil with the relieving force consistin<sub>g</sub> of the only French troops available for garrison purposes beaten and taken prisoners, Bussy with all that yet remained far off at Aurungabad, Chanda Sahib, his trusted ally murdered and his levies dispersed To Dupleix then there remained at this crisis merely Pondichery Gingee, and the French possessions on the coast, without garrisons to defend them still less with troops available for operations in the field His enemies on the contrary triumphant possessors now of the influence and of the material advantages for which he had toiled had it in their power apparently utterly to overwhelm him They had not only an army and numerous native allies but a Lawrence and a Clive to command them Dupleix had no longer an army no longer an ally since the departure of Bussy he had never had a general he had to depend upon no one but himself—and one other trusted and indefatigable councillor—his own wife Let us watch now how this man thus overmatched thus driven into a corner made head a<sub>g</sub>ainst the vast disproportion with which he had to contend

His own experiences and alliances with native chieftains had satisfied Dupleix that to such men there was no such disorganiser as victory Prepared after defeat to sacrifice in appearance even their just claims if by so doin<sub>g</sub> they could retain a basis for future action they would on a change of fortune however occurring show an absolute forgetfulness of past admissions, and increase their demands to a most exaggerated degree If this were the case when a native prince might be in alliance with a European power to a much more extended and dangerous degree would it occur when three or four native princes should occupy such a position For then each ally would measure his own claims by the claims of his rival and it would inevitably happen that such claims would often clash Now in the war that had just then concluded, Mahomed Ali the rival of Chanda Sahib had been aided by three native allies—by the king of Tanjore the king of Mysore and the Mahrattas So long as it seemed certain that Mahomed Ali and his English allies would prove triumphant—a conclusion which the imbecility of Law had made clear to the acute intellects of the natives at an early period of the contest—it was evident to Dupleix that no attempts to bring them over to his side would have the smallest effect Nevertheless he maintained native envoys at their courts instructed by him from time to time to act as circumstances might render advisable

It was then when victory declared itself against him when he had no more any troops and not a single ally that he put in action those arts of which no one better than he understood the use. His attempts were not at first made on Mahomed Ali. The English he well knew, were acting in the name of that prince and would be bound to attend mainly to his interests. Of the other parties to the alliance, the Mahrattas were the most influential and with these at the moment the power he represented lay lowest in the estimation of the world he commenced his secret negotiations.

So well did he succeed that Mahomed Ali and his English allies soon found that almost the only profit they had derived from their victory was the surrender of Law and his army. In a moment as it were they discovered that the animosity of the Mysoreans against Mahomed Ali and of Morari Rao against both would prevent that combined action in the field on which they had previously calculated, whilst the Tanjore contingent sick of service which seemed likely to bring little advantage were clamorous to return to their own country. So pronounced were the secret intrigues and so undisguised the mutual suspicions that although Law's force had surrendered on the 11th June it was not till the 9th of the following month that the Nawab and his English allies were able to leave Trichinopoly and even then he was forced to leave 210 of the latter and 1500 of their sepoy as a garrison to protect the city against his former associates—the Mysoreans and the Mahrattas.

The delay he had thus obtained and the disaffection in the enemy's camp he had thus caused were eminently serviceable to Dupleix. It so happened that in that very interval the yearly reinforcements of troops arrived at Pondichery from France. It is true that the men composing it were not of the best material—indeed Dupleix himself asserts that they were a collection of the vilest rabble—but they formed at least a basis upon which to work. To increase their number he larded the sailors from the fleet and manned the vessels in their place with lascars. By these means he found himself provided with a body of nearly 500 European soldiers, able once more—the knowledge of their strength and his own great personal influence acting and reacting on one another—to present a respectable appearance in the eyes of the native powers. To effect all this he had freely drawn upon his private resources, and made his entire fortune subservient to the cause of his country. An opportunity

soon presented itself still further to confirm such opinions, and to intimate very clearly to the native princes that Pondichery was yet unconquered. Harassed by their native allies, and by the intrigues fomenting around them, the English had made but slow progress after leaving Trichinopoly. They took indeed Trivadi, held by a small garrison of French sepoys on the 17th July but from that moment their councils became as uncertain as had been those of the French two months earlier. Major Lawrence had left them on account of his health, Clive had been compelled to proceed to Fort St. David from the same cause, and the command of the troops in the field was left to the incapable Gingen. This officer remaining idle at Trivadi instructions were sent him from governor Saunders, contrary to the advice of Major Lawrence to detach a portion of his force against Gingee. Major Gingen obeyed these orders by sending on the 3rd August, 200 Europeans, 1500 sepoys and 600 of the Nawab's cavalry under the command of Major Kinneer an officer who had but just arrived from Europe.

Intelligence of the march of this detachment having been promptly conveyed to Dupleix he determined to use it to strike a blow for the recovery of the prestige of the French arms. Sending orders therefore to the commandant of Gingee to hold that place to the last extremity, he organised from his new levies a force of 300 Europeans and 500 sepoys, and sent them with seven field pieces to occupy a position half way between Pondichery and Gingee and commanding the pass just traversed by the English on their route to the latter place.

Gingee was a fortress on many accounts very dear to the French. Its almost marvellous capture by Bussy on the 11th September, 1750, had raised the reputation of his countrymen to the highest point all over India the victory gained near it by de la Touche over the forces of Nazir Jung had seemed to consolidate and cement French power in the Carnatic. The possession of Gingee alone gave them a prestige in the eyes of the natives, which it would have taken much to eradicate. Its natural strength, Dupleix was well aware was sufficient to enable a well-commanded garrison to beat off a force double the strength of that commanded by Kinneer. That officer likewise he knew, was a stranger to the country and its people, and it seemed highly improbable that in the lottery of the distribution of commands the English should draw a second Lawrence, still less another Heaven born Genius of the

stamp of Clive His plan therefore seemed certain to succeed Operating on the rear of the enemy, who, he was sure, would make nothing of his movement against Gingee, he would induce him to attack the French in a position previously chosen and previously fortified and he would then, it seemed certain, take his revenge for Seringham

It fell out just as he had anticipated Kinneer arrived before Gingee on the 6th August summoned it and met with a determined refusal Appalled at its strength he was hesitating as to his action when news reached him that the French had taken up a position at Vicravandi in his rear, cutting off his communications with Trivadi With the spirit of a soldier Kinneer turned at once to attack this new enemy and rendered bold by the repeated successes of the English, he did not care to reconnoitre but dashed boldly on the French position To draw on the English against the strongest part of this M de Kerjean, a nephew of Dupleix who held the command directed his men to retire The English on this advanced with greater audacity till they found themselves exposed to the full fire of the enemy's field pieces separated from them by a strongly fortified wall At this moment Kinneer was wounded the English sepoy retreated and even the English white troops began to waver Just then Kerjean directed a movement on their flank On this service 100 French soldiers started The manœuvre was decisive. The English fell back after but a slight resistance leaving forty of their men dead on the field of action

Thus in less than two months after the terrible and seemingly irreparable losses caused by the incapacity of Law, did Dupleix bring back victory to the French standards and recover his influence amongst the native princes of the Carnatic The effect was increased by the capture shortly afterwards of accompany of Swiss mercenaries employed by the English under the command of Captain Schauf on the high seas. The English denounced this action as opposed to the law of nations—the two countries being nominally at peace But Dupleix triumphantly replied that he had as much right to capture English soldiers on the seas, as the English had to capture French soldiers on land that on this occasion he was merely acting in self-defence as these soldiers had been sent to sea that they might the more effectually attack the French possessions on shore There can be no doubt as to the soundness and completeness of this reply

It was about this period that Dupleix received from the Subadar of the Deccan, Salabut Jung a patent containing

his formal appointment as Nawab of the Carnatic, and of the countries south of the Kistna and as possessor of all the other honours conferred upon him by Mozuffur Jung Salabut Jung also informed him that the Emperor Ahmed Shah would shortly send an embassy with the imperial patents of confirmation. In consequence of the authority thus received Dupleix appointed Raja Sahib the son of the deceased Chanda Sahib, to hold the appointment under him. Finding however that the young man himself preferred pleasure and sloth to the occupation of war he entered into negotiations with Mortiz Ali, the surviving son in law and nearest relative of the family of Dost Ali. Mortiz Ali responded freely to the conditions, and agreed to advance a considerable sum of money and to levy troops in support of his title. In the same month likewise, the French Company wrote to Dupleix to express their entire satisfaction with his conduct and to inform him that the king of France had been pleased in compliance with their solicitations to confer upon him the title of Marquis with reversion in direct line to his descendants. From all the eminent public men in France he received by the same opportunity congratulations on the receipt of this well merited honour and expressions of entire concurrence in the policy he had adopted. Meanwhile all his hopes raised by the success at Viceravandi. Dupleix renewed his negotiations with the Mysoreans and Morari Rao, pressing them to declare openly in his favour. This they agreed to do provided Dupleix should engage so to employ the main army of the English as to leave them free to prosecute their views upon Trichinopoly. In accordance with these views Dupleix reinforced Kerjean to the utmost extent possible and sent him to enforce a blockade of Fort St David so as to prevent any possible co-operation by the English with their detachment at Trichinopoly. By this means Kerjean's force was increased to 400 Europeans, 1,500 sepoy and 500 native horse.

The news of this vigorous action roused Major Lawrence from his bed of sickness. Proceeding to Fort St David by sea he arrived there on the 27th August and on the following morning moved out at the head of 400 Europeans, 1,700 sepoy, and 400 troops belonging to Mahomed Ali to reconnoitre the French position. Strong as it was he resolved to attack it on the following day. But Kerjean, deeming the numbers too unequal marched during the night to Bahoor, two miles from Fort St David and the following evening,—Major Lawrence still advancing,—to Villanore within three miles of Pondichery.

At this time Dupleix was momentarily expecting the arrival of a ship called the *Prince* having on board 700 men and what was of equal importance, a tried commander on Indian soil,—M de la Touche \* As Major Lawrence was forbidden by his instructions from attacking the French in their position on French soil it would have been wise policy on the part of the French commander to remain where he was until the reinforcements should arrive But it would appear that Major Lawrence was equally aware of the hopes entertained regarding the *Prince* and he wisely bethought him of trading on the ambition of M de Kerjean, who could scarcely expect to retain his command on the arrival of an officer with the reputation of de la Touche He resolved therefore to move back to Bahoor, hoping that Kerjean would follow him The result fully answered his expectations † Kerjean followed the English major the next day and early on the morning of the 6th September received the shock of his attack The action was obstinate and bloody The French received the assault with great intrepidity crossing bayonets with the enemy Their sepoyes, however, who were stationed in the centre could not support the English charge and gave way in disorder Their centre thus pierced the whole line fell back and fled in confusion Kerjean himself fifteen officers and about 100 men were taken prisoners The number of the killed and wounded on the part of the French is not recorded The English however lost one officer killed, four wounded and 78 men killed or wounded

The worst result of the action for the French was the nugatory effect it had upon the Mysorean and Mahratta chieftains Of the warriors of the latter nation 3 000 under Innis Khan who were on the march to join the French at once transferred their allegiance to Mahomed Ali, and the

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\* We stated erroneously in our last number that de la Touche had died in 1750 It was so stated in one of the works we consulted But it appears that he proceeded to France in a bad state of health that year and lost his life with the remainder of his soldiers on board the *Prince* in 1752 when she was destroyed by fire

† Major Lawrence states that Kerjean was forced to act thus by the repeated orders of Dupleix and by the threat that he would be superseded by de la Touche No authority is given for this assertion and it can only be imagined that Kerjean who was taken prisoner in the action wished to clear himself at his uncle's expense The movement was exactly that which Dupleix would have wished to delay

Mysoreans deferred for a short time their plans against Trichinopoly. The work of Dupleix however had been too well performed for a defeat of this nature to cause its permanent failure. He promised the Mysoreans that if they could only take Trichinopoly it should be theirs. The magic of his influence still all prevalent in the minds of the natives, was confirmed by the inaction of Lawrence after his late victory. Thus it happened that within six weeks of that both action, the Mysoreans and the Mahrattas abandoned the English alliance, and declared openly for the French.

Another advantage before the termination of the campaign of 1752 accrued to the French governor. The greatest of his opponents, Clive was forced before the close of the year to abandon the scene of his triumphs and to proceed to Europe for the benefit of his health. It is true that he signalled the few months prior to his departure by two achievements showing not less energy, daring and military talent than had distinguished his early victories. We allude to the capture of the forts of Covelong and Chingleput the former on the sea coast about midway between St Thomé and Sadras sixteen miles south of Madras the latter on the river Palhar commanding the high road between Fort St George and Pondichery and about 40 miles from the English Presidency. The capture of these two places is memorable from the fact, that the 200 troops who formed the European portion of Clive's little army were raw recruits\* the sweepings of the English jails and so little disciplined that on a shot from the fort of Covelong killing one of them all the rest ran away. Nevertheless even upon this rabble Clive exercised an influence so magical he won their respect to such an extent by his own contempt of danger and personal daring his failing health notwithstanding that at their head and by their means he reduced Covelong defeated a force of 700 sepoys and 40 Europeans sent by Dupleix to relieve it and then marching on Chingleput the strongest place next to Gingee in that part of the country, forced the French garrison of 40 Europeans and 500 sepoys to evacuate it. He then proceeded to Madras and thence to England.

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\* Lord Macaulay in his essay on Clive, states that the force was of such a description that no officer but Clive would risk his reputation by commanding it. Orme, however who was Lord Macaulay's authority for this statement, simply remarks "it could hardly be expected that any officer who had acquired reputation would willingly risk it by taking the command of them."

Notwithstanding these losses, however, a careful survey of the position of Dupleix at the close of 1752 and a contrast with the state to which he had been reduced by the surrender of Law and d'Auteuil but six months before will show how much his vast genius had been able within that short period to accomplish. To do this completely his relations to the Directors of the French Company must be borne in mind. This Company, not possessing one fourth part of the wealth of the English Company, had deceived itself by the hope that the position of Dupleix as master of the Carnatic, was too assured too secure for him to require any special aid from France. The Directors looked rather to Dupleix to transport to France vast sums of money. No doubt even up to the end of 1751 the position of Dupleix justified the public men in France in the most sanguine hopes as to the future of French India. But that was the very reason why real statesmen would have aided and supported him with all the means at their disposal. The transport of 2 or 3 000 men to Pondichery in 1751 would almost certainly have given France absolute possession of Southern India. She herself would not have felt the loss of that insignificant number of her soldiers, whilst they could scarcely have failed to gain for her the coveted prize. But instead of support of this nature, the Directors literally starved Dupleix. They sent him comparatively a small number of ships and no funds the few men to serve as soldiers—to gain for France an empire greater than herself—were the offscourings of the jails and the sweepings of the galleys. When he asked them for a competent general they sent him a Law. It is true that elevated by the hopes they had formed from the success of his large schemes, they vouchsafed him flattering letters and a Marquisate. These however were but cheap rewards which Dupleix would gladly have bartered for a few hundred of those brave troops who were idling their time in the garrisons of France. Thus left to his own resources we see him evoking material strength out of nothing, drawing to himself allies when, as it would appear there remained to him nought but destruction. He thus succeeded because, in the first place, he possessed a genius for organisation of the highest order because, in the second he considered no sacrifice too great to be made for the glory and interests of France. Bitterly personal as was the hatred borne to him in that day by contemporary Englishmen, seizing as they did every occasion to attribute to him motives of personal ambition and



personal vanity even they were forced to admit his genius and his devotion to his country "To give Dupleix his due" writes Major Lawrence in his Memoirs, "he was not easily cast down his pride supported him, and at the same time his mind was full of resources" Mr Orme likewise admits that the French would have been compelled 'to cease hostilities after the capture of Seringham, had not M Dupleix been endowed (and this at last is much to his honour) with a perseverance that even superseded his regard to his own fortune of which he had at that time disbursed £140 000 and he continued with the same spirit to furnish more It was this disinterestedness this abnegation of his own interests when the interests of France were concerned, that gave him influence and authority with his own people that gained the lasting admiration and respect of all the native princes with whom he came in contact In Dupleix they recognised a man not only thoroughly in earnest but who was proof against the ordinary consequences of disaster Never was he more full of resources than when apparently the well of those resources had been dried up They never felt safe when they were opposed to that versatile intellect to that scheming genius When in the enemy's camp they still continued to correspond with him So thoroughly did the English recognise this magic power that they kept then puppet Mahomed Ali, in the strictest seclusion Dupleix contrived nevertheless to correspond with Mahomed Ali It was only however to receive an answer begging Dupleix not to impute to him the fault of his conduct for added Mahomed Ali, you know that I am "no longer master of my actions

Never perhaps was his genius more eminently displayed than after the catastrophe of Seringham Without troops he was exposed to the full fury of the victorious army of Lawrence and Clive and though these were forbidden to attack Pondichery they had it apparently in their power to reduce the French settlement to the most insignificant dimensions to deprive it of all real power in the country of all influence with the natives Yet by raising up enemies within their own camp Dupleix delayed their march from Trichinopoly, rendered any decided action on their part impossible, gained for himself that which of all other things was most necessary to him—time—and actually succeeded in less than two months after that great disaster in beating in the field the victorious English, and in determining

the most powerful native allies of that nation to transfer their material aid to the French colony. But for the precipitancy of Kerjean the advantages gained by the English at Trichinopoly would have been almost neutralised.

It was it must be admitted an immense misfortune for Dupleix, that whilst his own commanders in the Carnatic were men of the most ordinary ability and even as in the case of Law of marked imbecility of character there should have been opposed to him the greatest genius for war of that epoch. The strong sharp incisive blows of Clive were terribly effective on the besotted leaders of the French forces they were met by no counterstroke by nought in fact but weakness and indecision. With a rough and determined hand Clive broke down the foundations of French dominion infused a confidence into the English soldiers that never afterwards left them and showed the world that the natives of India, when well led and when possessing confidence in their commander are capable of evincing the best qualities of real soldiers alike courage and constancy heroism and self denial. But for this one man no diversion would have been attempted on Arcot the English garrison would have remained dispirited in Trichinopoly and it is more than probable would have yielded that city to the superior numbers of Law. But it was Clive that broke the spell of French invincibility he it was who first showed his troops and the natives of the Carnatic that it was possible to conquer even the soldiers of Dupleix. He transferred moreover to the English troops that opinion of their own qualities in the field which till his coming, had been monopolised by the French. It was a hard destiny that brought to the overthrow of the plans of Dupleix a genius so warlike a mastery over men so unsurpassed.

Yet though unsuccessful on the whole in the Carnatic the victories of the French troops in another part of Indian soil, more than compensated in the mind of Dupleix for the calamities they sustained near the coast. French influence was still paramount the reputation of the French arms still supreme the power of the French governor still unquestioned at the court of the Subadar. To gain that influence to maintain that reputation to increase that power Dupleix had not hesitated to deprive himself of the services of his best, his only general even to risk his supremacy on the Coromandel coast. Certainly in those days it was considered even by the enemies of Dupleix, that the gain at Aurungabad far out-weighed the losses in the Carnatic. To see how that

gain was achieved, how French influence was so consolidated as to be for many years proof against the overthrow of French power at Pondichery, we must now devote a few pages to the romantic career of the energetic and stout-hearted Bussy

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- ART IV —1 *The Criminal Procedure Code (Acts XXV of 1861 XXXIII of 1861 and VIII of 1866, of the Legislative Council of India)*
- 2 *The High Courts Criminal Procedure Amendment Act (Act XIII of 1865 of the Legislative Council of India)*
- 3 *Act XVII of 1862 of the Legislative Council of India*
- 4 *The Indian Evidence Act (Act II of 1855 of the Legislative Council of India)*
- 5 *The Weekly Reporter Appellate High Court (Calcutta) Vols I to VI, Criminal Rulings*
- 6 *The Law of Evidence applicable to the Courts of the late East India Company, explained in a course of Lectures delivered by the Honble John Bruce Norton Advocate General Barrister at-Law, (late Professor of Law at the Madras Presidency College) Fifth Edition Madras, 1865*
- 7 *The Law of Evidence as administered in England and applied to India By Joseph Goodeve, Esq of the Inner Temple and Lincoln's Inn Barrister, Acting Master of the Supreme Court of Calcutta, Member of Senate of the University of Calcutta, and Lecturer on Law and Equity in Presidency College Calcutta, 1862*
- 8 *Archbold's Pleading and Evidence in Criminal Cases (Fifteenth Edition London, 1862)*
- 9 *Roscoe's Digest of the Law of Evidence in Criminal Cases (Sixth Edition London, 1862)*
- 10 *A General View of the Criminal Law of England By James Fitzjames Stephen, M.A of the Inner Temple Barrister-at Law Recorder of Newark on Trent (London, 1862)*
- 11 *Broom's Commentaries on the Common Law Book IV (Third Edition London, 1864)*

- 12 *Russell on Crimes* (Fourth Edition)
- 13 *Greaves' Criminal Acts* (Second Edition London, 1862)
- 14 *Blackstone's Commentaries*
- 15 *Alison's Criminal Law of Scotland*
- 16 *Theory of Legislation* By Jeremy Bentham, translated from the French of Etienne Dumont, by R Hildreth London 1864
- 17 *A Treatise on the Law of Evidence as administered in England and Ireland with illustrations from the American and other Foreign Laws* By John Pitt Taylor Esq Judge of the County Courts for Lambeth, Greenwich and Woolwich (Fourth Edition London 1864)
- 18 *An Act for establishing High Courts of Judicature in India* (24 and 25 Fict cap 104)
- 19 *The Charters of these High Courts*

IN our last article we essayed to compare the *substantive* Criminal Law of India with that of England in our present notice we shall endeavour to draw a similar comparison between the *adjective* Criminal Law of the two countries in so far as the rules of Procedure are concerned using the term 'Procedure' in its widest extent The subject will be well taken up in the following order —

I We shall discuss the apprehension of offenders for the purpose of bringing them to justice, and proceedings by the police for the detection of crime

II We shall give a brief outline of the constitution of the criminal tribunals of both countries

III We shall treat of the procedure of the minor criminal authorities in India in those cases which they have jurisdiction to try *judicially*

IV We shall review the preliminary proceedings of Magistrates held with a view to the committal of the accused for trial before a higher tribunal

V We shall examine the procedure of the Superior Courts exercising Original Criminal Jurisdiction

We do not intend however to limit ourselves altogether to this programme, which is meant merely to indicate the order of treating a very extensive subject, and the general scope of the present article

First, then, with respect to the apprehension of offenders, whether by the constituted police or by private individuals,

we find a remarkable difference between the English and Indian systems. In England no one whether a police-officer or private individual, is under any legal obligation to prosecute a criminal. 'The law says Mr Stephen makes no provision for the collection of evidence or for the examination of suspected persons. The police, who are now established in every part of the country, are intrusted with no special authority and are under no legal obligation in this matter. What they do towards the detection of crimes might generally speaking, be done by any private person who chose to take up the matter.' And again 'There is very little difference between the rights of a peace officer and a private person in this particular, except that in some cases a peace officer incurs less responsibility than a private individual.' In India on the contrary in the case of all serious crimes which are offences not only against the individual immediately affected by them but against the community at large, it is the duty of the police to make an investigation for Section 135 Act XXV of 1861 ordains as follows — Upon complaint or information being preferred to an officer in charge of a police station, of the commission within the limits of such station of any of the offences specified in the Schedule annexed to this Act as offences for which police officers may arrest without warrant he shall send immediate intimation to the Magistrate having jurisdiction and shall proceed in person or shall depute one of his subordinate officers *to proceed to the spot to enquire into the facts and circumstances of the case and to take such measures as may be necessary for the discovery and apprehension of the offender*. The substance of the complaint or information must be reduced to writing and recorded in the diary of the police officer. To a casual reader of the above Section, it might appear that before the officer in charge of a police station can take a single step there must be a private prosecutor to make the *complaint or information*. What was the original intention of the framers of the Code of Criminal Procedure we are unable to say but the general usage now is that 'information' in the sense of 'intelligence' or 'tidings' given by any third party is always sufficient to induce the action of the police nor is any *information* in a sense approaching the technical meaning of the word in English law required. To enable readers in England and other places, who have not access to the Indian Codes, to form an exact estimate of the legal authority of the Indian police we add in an appendix to this article an alphabetical list of those offences for which the police may arrest without

a warrant. We must at the same time remark that the powers of an officer in charge of a police station, must always be exercised by an officer above the rank of a common constable, a provision of the law which we have reason to believe is not always attended to. No other offences than those specified in the alphabetical list, given in the appendix, can be investigated by the police.

Before proceeding to notice the powers which may be exercised by the officer in charge of a police station in conducting an investigation, we shall first notice the authority that may be exercised by every police-officer alike of whatever grade. He may without orders from a Magistrate and without a warrant, arrest—

*First*—Any person who in his presence commits any of the offences specified in the above list

*Second*—Any person against whom a reasonable complaint has been made, or a reasonable suspicion exists of his having been concerned in any such offence

*Third*—Any person against whom a hue and cry has been raised of his having been so concerned

*Fourth*—Any person who is a proclaimed offender

*Fifth*—Any person who is found with stolen property in his possession

*Sixth*—Any person who obstructs a police officer in the execution of his duty

It is also the duty of every police officer to prevent, and he may interpose for the purpose of preventing the commission of any of the offences in the above list, and if he cannot otherwise prevent the commission of the offence, he may arrest the would be offender. He may also interpose (though here he is not authorised to make a previous and preventive arrest) to hinder any injury attempted to be committed in his view to any public building, work of art, road, bridge, tank, well or water channel, or to prevent the removal or injury of any public land mark or buoy or other mark used for navigation. When any person liable to arrest is in any house or place to which after due demand ingress is refused by the person residing in or in charge of such house or place, and if there is reason to believe that the person would escape before a warrant could be procured, the police-officer may make an entry and a search. Any person known or suspected to have committed any offence whatever, may be detained if he refuse on demand to give his name and residence, or if he give a name and residence which there is reason to believe false. Let us now see what are the

corresponding provisions of English law applicable to peace-officers and constables

*First*—A constable may without warrant arrest any one for a breach of the peace committed in his presence

*Second*—He may arrest any one who commits or attempts to commit a felony in his view or

*Third*—Any person against whom a reasonable charge has been made, or a reasonable suspicion exists of his having committed a felony

So far the Common Law goes but the Statute Law has greatly increased the power of arrest without warrant, and now persons found committing offences against the Malicious Injuries Act," the Larceny Consolidation Act ' the ' Act relating to Coinage Offences " the Game Act, &c, may be arrested By the Metropolitan Police Act (10 Geo IV cap 44 sec 7 ) it is lawful for " any man belonging to the said

Police Force, *during the time of his being on duty* \* to apprehend " all loose idle, and disorderly persons whom he shall find " disturbing the public peace, or *whom he shall have just cause to* " *suspect of any evil designs* and all persons whom he shall find " between sunset and the hour of light in the forenoon lying " in any highway, yard or other place or loitering therein " and not giving a satisfactory account of themselves " By the Rural Police Act 10 & 11 Vict cap 89 sec 15, " any " person found committing any offence punishable either upon " indictment or as a misdemeanour upon summary conviction, " by virtue of this or the special act may be taken into custody " without a warrant by any of the said constables "

It will thus appear that the power of arrest without warrant given to constables by the Common Law of England, was very nearly the same in its broad features as that conferred by the Indian Code of Criminal Procedure As we have seen in a previous article, the division of offences into *felonies* and *misdemeanours* does not obtain in India The offences enumerated in the list appended to this article, are most undoubtedly a better selection for the prompt action of the police than those falling under the class of felonies and the English system has been here well amended by the statutory provisions given above Even now there is some difference between the two lists of offences in India and England for which the ordinary peace officer may arrest without warrant, but the essential object of the two systems is

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\* By a legal fiction an Indian constable is supposed to be always on duty



here the same, *viz*, to secure, without the chance of escape, those who commit serious crimes affecting the peace and welfare of the body politic. The Indian system is however more perfect than the English ones upon the absurdities of which, arising from piecemeal legislation and the division of offences into felonies and misdemeanours, Mr Stephen justly comments.

Before proceeding to the next point in our subject, it is important to say a few words about the power of arrest by *private individuals*. At English Common Law a private person if a felony be committed or a dangerous wound given in his presence is not only justified in arresting but is bound by law to arrest the felon. He may also arrest any man about to commit a felony, or treason, or any act which manifestly endanger another's life and detain him until the intent be presumed to have ceased. He may arrest a person upon suspicion of felony but this he does at his peril for if the person prove to be innocent he will be guilty of a false imprisonment. So says Mr Archbold, though Mr Roscoe quoting Foster lays down that in cases of *suspicion of felony* and in cases of offences less than felony, a private person has at Common Law no right to apprehend offenders. The point was raised on a recent occasion but not decided as the case went off on other grounds. Any bystander may arrest an affrayer in the act, but he may not after the affray is over. The owner of the property or his servant or any person authorized by him may arrest any one found in the act of committing an offence against the Malicious Injuries to Property Act, or against the Sections of the Metropolitan Police Act relating to property. A similar right obtains with respect to the offences recited in the above quoted Section of the Rural Police Act, the Game Act &c. The Indian Code of Criminal Procedure is entirely silent on the subject of the right of arrest by private persons. The illustration to Section 79 of the Penal Code however recognizes the existence of such a right and its legality. A sees Z commit what appears to A to be a murder. A in the exercise, to the best of his judgment exerted in good faith of the power which the law gives to all persons of apprehending murderers in the fact seizes Z in order to bring him before the proper authorities &c. Under Section 82 of the Procedure Code however, 'every person is bound' (under pain of punishment for refusing, see Section 187 of the Penal Code) 'to assist a Magistrate or police-officer demanding his aid in the prevention of a breach of the peace,

"or in the suppression of a riot or affray, or in the taking of any other person whom such Magistrate or police-officer is 'authorised to arrest' It is also the duty of every person who is aware of the commission of certain offences, to give information to the nearest police-officer, whenever he shall have reason to believe that, if such information be withheld the person who committed the offence may not be brought to justice or may have his escape facilitated These offences are theft after preparation to cause death robbery or attempt to commit robbery dacoity or preparation or assembling to commit dacoity, arson and house breaking, or house trespass in certain aggravated forms It is strange that murder has not been included in the list and that private individuals in general are not required to give information of the commission of this offence though landholders or *zemindars* are required to do so on pain of fine by one of the old Regulations still unrepealed We may here remark that though a hue and cry is mentioned as we have seen in Section 100 of the Criminal Procedure Code there is no provision for the manner in which it is to be raised or conducted

Section 110 of the Code is as follows — "When *any* offence is committed in the presence of a Magistrate such Magistrate may order *any* person to arrest the offender, and may thereupon commit him to custody or if the offence is bailable may admit him to bail This seems to go beyond the Common Law of England under which, according to Hale a Justice of the Peace may apprehend or cause to be apprehended, by a verbal order merely any person committing a *felony or breach of the peace* in his presence The Indian Magistrate, like the English Justice must however issue his warrant to arrest for an offence committed out of his view

We now proceed to notice the powers which may be exercised by an officer in charge of a police station in making the *preliminary enquiry* in the case of those offences, in respect of which he is authorised to act And let it be borne in mind that in this respect there is an entire innovation on the law of England though the procedure is based upon what has always been the practice in India The state of things in England is thus depicted by Mr Stephen "The law as it now stands makes no special provision either for the detection or the apprehension of criminals "It permits any one to take upon himself that office whether or not he is aggrieved by the crime and it authorises and "in some cases requires particular public bodies, such as the

"corporations of particular towns and the Quarter Sessions for counties, to maintain at the public expense a Police Force for the purpose of exercising this right, but speaking broadly *"policemen as such can do nothing which private persons cannot do"* They have no special facilities for carrying on any of the enquiries comprised in the (French) process of instruction nor is there any public officer, who is bound by his public duty, as distinguished from his private duty to his individual employers, to set such enquiries on foot." How different is the system in India! When the officer in charge of a police station receives information of the commission of an offence in respect of which he has jurisdiction it is his *duty* to proceed to the spot and hold a preliminary enquiry, he may give an order in writing to any of his subordinates to arrest any one whom he may himself arrest, he may make a search himself or may issue a search warrant to any of his subordinates he may by an order in writing require the attendance before himself of any one within the limits of his station, who appears to be acquainted with the facts and circumstances of the case, though there is nothing in the law to show that such person is bound to answer questions put to him he may arrest the accused party, he has a discretion as to admitting him to bail or not and if he conceive the offence made out, he may forward the accused person to the Magistrate, and enforce the attendance of prosecutors\* and witnesses before this officer all his proceedings are of course, subject to the orders of the District Superintendent of Police and of the Magistrate of the district To prevent him from abusing his authority, he is prohibited from receiving or recording any confession of guilt, except for his own information he is not allowed to detain an accused person in custody longer than twenty four hours without forwarding him to the Magistrate he is to keep and forward a daily record of his proceedings while investigating a case, and this diary may be used as evidence against him he is to furnish a final report and

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\* It is important to notice with reference to our remarks made above on the word *information* that Sections 136 144, 158 and 159,—all presuppose a person to act as *prosecutor* before the police can proceed to make a preliminary enquiry Section 24 of the Police Act (V of 1861) provides for a police officer laying an information before a Magistrate. Was this meant to meet a case where there was no private individual to act as prosecutor?—Certain it is that the word *information* in Section 135 has in practice received the meaning we have given it and a police-officer who waited to investigate a case of murder or dacoity till a prosecutor turned up, would have the District Superintendent Magistrate and Commissioner down upon him.

to transmit any weapon or article which it may be necessary to produce in evidence, but he is prohibited from expressing any opinion as to the guilt of the accused, he must report all arrests and to ensure his doing so he is not allowed to release any person once arrested unconditionally that is, except on bail or on his own recognizances, or under the special order of the Magistrate. He may release an arrested person, against whom a *prima facie* case has not been made out, on bail or on his own recognizances whether the offence for which he was arrested be bailable or non bailable under the Code. If however there appear reasonable ground for believing that he has been guilty of the offence imputed to him, and this offence be non bailable under the Code, then bail must not be taken though in all other cases bail for appearance before the Magistrate is allowable. A list of non bailable offences under the Code will be found in the appendix which will enable the reader to judge for himself of the discretion vested in the police-officer. The law, as we think designedly contains no directions as to the period of the preliminary enquiry at which the arrest should be made. In India where escape is not often attempted, and is except on the borders of British territory seldom possible in simple village communities the police-officer should not, as he frequently does commence proceedings by arresting the accused. The occurrence of false cases too makes it advisable that the person charged should not be at once taken into custody for in India, to use the language of Baron Parke, *people often choose to settle private disputes by giving others into custody*.

The officer in charge of a police station is also the Coroner within the limits of his station. On receiving notice or information of the unnatural or sudden death of any person, he is immediately to give intimation to the nearest Magistrate and to proceed to the place where the body of such deceased person is and there in the presence of two or more respectable inhabitants of the neighbourhood to make enquiry and report the apparent cause of death describing any mark of violence which may be found on the body, and stating in what manner or by what weapon or instrument such mark appears to have been inflicted. The report is to be signed by the police-officer and the other persons, or so many of them as shall concur therein, and must be forthwith forwarded to the Magistrate. When there is any doubt as to the cause of death, the police-officer is to forward the body with a view to its being examined by the Civil Surgeon, if the state of the weather and

distance will admit of its being so forwarded without risk of putrefaction on the road. In the Presidencies of Madras and Bombay, where the ancient village system has preserved much of its integrity, it is the duty of the head of the village to make the enquiry and send in the report. For those who have never been in India, it may be necessary to add a few explanations to the above provisions, which may appear somewhat unintelligible to people living in a country where a medical man can always be had at a few hours' notice and where putrefaction is a work of days. In an Indian *zillah* or district there is generally but a single European Civil Surgeon who resides at the head quarters of the district which is usually in a central position, but may be 30, 40 50, or 60 miles from other parts of the district. In a country, where means of locomotion are seldom generally available, often without roads and intersected with rivers unbridged and swollen betimes with the rains, we have known it take three days using all practical despatch, to send a corpse sixty miles and in a climate where Europeans have to bury their dead within the twenty four hours, a *post mortem* is impossible after three days. Native doctors trained in the European system of medicine and surgery are stationed at head quarters to assist the European Civil Surgeon, and sometimes one of these native functionaries is located at an out-post or sub division of the district, but they are seldom possessed of the requisite skill to make an effective *post mortem* examination of a dead body while private practitioners there are none. The *kobiraj* or native *hakim* knows nothing of surgery, and his medical treatment consists of charms and simples.

In judging of the comparative merits of the Indian and English systems for the detection and apprehension of criminals, it must be remembered that in England the whole population, as well as those immediately concerned are active in the matter, while in India, in consequence of the former practices of an underpaid and corrupt police and the delays in the administration of justice necessitating an absence of weeks and sometimes of months on the part of witnesses who had to go to the Sudder Station or Head Quarters, no man voluntarily admitted knowing anything of an offence committed in his presence. Men did not willingly perform a public duty, which compelled them to leave their homesteads and find sustenance for themselves while they lingered about the district courts, miles away from their villages, wearily waiting with a hundred others for their

cases to come on, their land meantime unploughed or unsown, or their crops, which were to satisfy the demands of their urgent creditors and feed them for the coming year, depending upon the tender mercies of the neighbours to be gathered. Men of greater respectability again shunned the *disgrace* (for such it was esteemed) of having to appear personally in courts, permeated with an atmosphere of perjury and forgery. And thus, while all shunned the performance of this public duty none cared to disclose to the police that which might impose upon them its performance. Those again, who suffered from the crime were often unwilling to bring down upon them the thirsty myrmidons of the law, and a man who had lost twenty rupees' worth of property by theft, did not care to throw away double or treble this sum on the doubtful chance of recovering his loss. We cannot yet say like the Mock Doctor to Geronte '*Nous avons changé tout cela*' but we have done much to effect the change and we must leave it to time to do the rest. Meanwhile, any system for the detection of crime that depended only on the public spirit of the Indian population would be a lamentable failure. In France, however, where a very different civilization prevails, we shall hereafter see that a system even now exists which has much in common with that of India, a system founded on the following principle embodied in the first article of the Code d'Instruction Criminelle, *viz*, '*L'Action pour l'application des peines n'appartient qu'aux fonctionnaires aux quels elle est confiée par la loi*'.

We now come to the proceedings before the minor criminal authorities, whether 1<sup>st</sup> of a final nature or 2<sup>nd</sup> with a view to making over the accused for trial to a higher tribunal. It will be convenient here to see first, what are the criminal tribunals in England and India, and what are their powers.

In England, then, there are the following —

I. The High Court of Parliament, before which great offenders, whether lords or commons are tried on *impeachment*. Before this tribunal the commons, *i. e.*, the people appear as accusers of those who infringe their rights and commit crimes beyond the reach of the ordinary Magistrate. There is no corresponding institution in India, though as in the case of Warren Hastings, an offender may be impeached at home in England for acts committed in India.

II. The Court of the Lord High Steward for the trial of peers indicted for treason or felony. There is nothing

similar in India. Nor would the highest *rajah* be exempt from the jurisdiction of the ordinary courts, or entitled to any but the ordinary panel of jurors in those districts where trial by jury has been introduced. He might be tried by a jury of his countrymen, but it would not be a jury of his peers.

III *The Court of Queen's Bench* has cognizance of all criminal cases, from high treason down to the most trivial misdemeanour or breach of the peace.

IV *The Central Criminal Court* established in 1834, which is the chief criminal court for the trial of all offences committed within the city of London and county of Middlesex and certain portions of Essex, Kent and Surrey. The entire criminal jurisdiction formerly belonging to the Court of Admiralty is now also exercised by this court.

V *The Courts of Oyer and Terminer and General Gaol Delivery at the Assizes* the great ambulatory criminal courts of England for administering the general criminal law throughout the land in all those cases deemed of too serious a nature to be disposed of by the inferior or local tribunals.

VI *Sessions of the Peace* : *e* sittings of the Justices, which are of four kinds *viz* 1<sup>st</sup> Petty Sessions 2<sup>nd</sup>, Special Sessions 3<sup>rd</sup> General Sessions and 4<sup>th</sup> General Quarter Sessions.

1<sup>st</sup> Petty Sessions consist of meetings of two or more Justices held for various purposes but more especially for bailing or committing persons accused of felonies or misdemeanours.

2<sup>nd</sup> Special Sessions are held by Justices for the exercise of some particular branch of their authority and after notice given to the other Justices. They are held for example for appointing overseers for the poor, for licensing ale-houses, &c.

3<sup>rd</sup> *A General Sessions of the peace* is a court of record, holden before two or more Justices, whereof one is of the *quorum*, : *e* by the words of his commission authorized to enquire into and determine felonies and other misdemeanours. The only description of these sessions now held is the following.

4<sup>th</sup> The General Quarter Sessions, which have been recently regulated by the 5 and 6 Vict cap 68 entitled "an Act to define the jurisdiction of Justices in general and 'Quarter Sessions of the peace,' under which Justices are prohibited from trying any person for treason, murder, or capital felony, or for any felony punishable on a first conviction with transportation for life or for imprisonment of treason, perjury, forgery, bigamy, libel, stealing documents, and

certain other offences Subject to the above restrictions, the Court of Quarter Sessions has jurisdiction generally in respect of all offences created and declared misdemeanours by Statutes passed since the institutions of the office of a Justice Convictions and orders of Magistrates and many other matters are appealable to the Court of Quarter Sessions, and various questions respecting roads &c, are cognizable thereat. The Quarter Sessions for the county of Middlesex are held before an Assistant Judge The Quarter Sessions of boroughs are held before Recorders where, on the petition of the inhabitants, such a separate court has been established under the 5 and 6 Will IV cap 76 Where this separate court has not been established, the county Justices exercise their jurisdiction The London Sessions are held eight times a year before the Recorder sitting as an assessor to the Lord Mayor and Aldermen but only misdemeanours are in general tried here, felonies and other important crimes being tried before the Central Criminal Court

Justices of the Peace sitting in Petty Sessions, have by a variety of Statutes a *summary jurisdiction* to try and dispose of certain minor offences without the intervention of a jury In many instances they have a discretionary power either to exercise this jurisdiction or to commit the accused for trial before either the Quarter Sessions or the Assizes and in some cases the accused person has the option of declining to be tried by a jury, and consenting to be dealt with by a Magistrate or Magistrates summarily No similar provision to this latter exists in India This summary jurisdiction of the Magistracy has of late years been considerably extended at home Unless expressly given by the Statute there is *no appeal* but the conviction may always be removed into the Court of Queens Bench by writ of *certiorari* Petty Sessions are held before two or more Justices, but by certain local Acts stipendiary and police Magistrates in the metropolis and other places are authorized to exercise individually all the authority of two Justices

Having given what must be of necessity a very scanty outline of the criminal courts in England, we shall now enumerate the criminal tribunals in India, and in doing so shall venture on a few points of comparison between the similar institutions in both countries

I The High Courts established at the Presidency Towns and in the North-West Provinces have a two-fold jurisdiction, *viz* original and appellate The *original* jurisdiction is again *ordinary* and *extraordinary* The Calcutta High Court in



the exercise of its ordinary original criminal jurisdiction, tries *all* persons for offences committed within the local limits of its ordinary original civil jurisdiction, which are coterminous or nearly so with the limits of the town of Calcutta. It moreover tries European British born subjects (who are not subject to the jurisdiction of the courts in the interior, except for petty assaults) for all offences committed within the portions of the Bengal Presidency, not included within the limits of the criminal jurisdiction of any other High Court. In the exercise of its *extraordinary* criminal jurisdiction, it can try *all* persons residing in places within the jurisdiction of any court subordinate to it on charges preferred by the Advocate-General, or by any Magistrate or other officer specially empowered by Government. The High Courts of Bombay and Madras exercise an ordinary criminal jurisdiction similar to that of the Calcutta High Court. But the Court of the North West Provinces has no *ordinary* criminal jurisdiction over *all* persons residing within certain local limits similar to those of the Presidency Towns, though it has such ordinary jurisdiction over British born subjects resident within the North West Provinces. There is no appeal as of right from any of the High Courts exercising original criminal jurisdiction. But with the previous permission of any High Court, when such High Court considers the case a fit one for appeal, and subject to such conditions as it may require, an appeal may be made to the Privy Council. At the trial of any case the Judge may however reserve any point or points of law for the opinion of the High Court which has power to determine such points and thus discharges functions similar to those of the Court of Criminal Appeal, established by the 11 and 12 Vict cap 78. The High Courts at the Presidency Towns in this way perform duties similar to those of the Central Criminal Court in London, and like this latter Court also they possess an Admiralty criminal jurisdiction. We may here remark that there is no court in the Presidency Towns corresponding to the Quarter Sessions held before the Recorder, the entire criminal jurisdiction being divided between the High Court sitting in the person of a single Judge for criminal trials and the police Magistrates who are however vested with higher powers than those possessed by similar functionaries at home. The stipendiary police Magistrates are occasionally assisted by Honorary Justices of the Peace, one of whom is empowered by Act IV of 1835 to exercise in Calcutta the powers ordinarily exercised at home by two or more Justices. Act IX of 1849

contains similar provisions for Madras, and Act XXXII. of 1838, for Bengal Behar, and Orissa

The High Court on its *appellate* side exercises a complete control and superintendence over all criminal courts and authorities in the Mofussil. Broadly speaking its functions in this respect are similar to those of the Court of Queen's Bench in England though its procedure is different. And, as the same Judge may one day sit in the Central Criminal Court and the next day in the Court of Queen's Bench, so the same Judge may to day hold criminal sessions in Calcutta and may to morrow sit on the appellate side of the High Court to revise the proceedings of a criminal court in the Mofussil. The High Courts on their appellate side sit—

1st—As Courts of Appeal

2nd—As Courts of Reference

3rd—As Courts of Revision

1st—Any person convicted on a trial before a Court of Session (see *post*) can appeal to the High Court on matters of law only if the trial was by jury but on matters both of law and fact if the trial was before a Judge assisted by Assessors. The appeal must be made within sixty days and the Appellate Court has the fullest powers to do what justice requires. The Calcutta High Court recently held that sitting to hear an appeal in a case tried by jury it had power to set aside the verdict for an insufficient or defective summing up of the evidence and to order a new trial. The case of *R v Scayfe* (17 Q. B. 238) is the only instance of a similar decision under English law and it is said that this case was without a precedent and it has not therefore been followed. The working of the criminal appellate jurisdiction of the High Courts would supply a strong argument to the advocates for introducing a similar procedure into the criminal law of England who have been recently so scandalized by *Toomer's* case at home which has been justly commented upon by the journals and by the profession.

2nd—To a High Court as a *Court of Reference* every capital sentence passed by a Sessions Judge must be submitted before being carried into execution and the higher tribunal has full power to confirm the sentence or pass any other sentence warranted by law or annul the conviction and order a new trial on the same or an amended charge, and when the trial has been held with the aid of Assessors, to acquit the accused person. Further enquiry may be directed,

and additional evidence taken in the latter case, where such a course seems expedient for the ends of justice.

3rd—As a *Court of Revision* a High Court is vested with powers unknown to English law yet very necessary for the ends of justice in a country where men are promoted to the Mofussil Bench by the mere force of seniority in an exclusive service and without regard to judicial capabilities or qualifications, where every *civil servant* is expected to be a lawyer, and in the discharge of onerous executive duties to be able to acquire that judicial training and experience and balance of mind and temper which are essential requisites to enable even a lawyer to fill a seat on the Bench, with satisfaction to himself and justice to the public where too, failure in the executive department is or at least was not unfrequently rewarded with judicial promotion it being held better that the private interests of individuals, rather than the public interests of the State or of the revenue should suffer from incompetence. Where an illegal sentence has been passed by a Court of Session the High Court on revision has power to annul the sentence and pass a new one. Where there appears to have been error in the decision of the Court of Session on a point of law the higher tribunal may determine such point of law and having done so pass such order as seems right. It may also call for and examine the record of any case tried by a Court of Session, in order to satisfy itself of the *legality* or *propriety* of any order passed and as to the regularity of the proceedings. If the sentence passed appear too severe any mitigated sentence warranted by law may be passed instead. If the sentence or order is contrary to law it may be reversed and such judgment, sentence or order passed as may seem right or the court may order a new trial. The Court of Revision acts in the above, *suo motu* and no one can claim its interference as a matter of right. It may also on the report of a Court of Session or of a Magistrate call for any criminal record of any subordinate criminal court and if there has been error in law it may decide the point of law and then pass any order that may appear correct. By a careful exercise of the large powers entrusted to them as Courts of Revision, the High Courts in the three Presidencies have in the few short years that have elapsed since their establishment effected a radical improvement in the administration of criminal justice in the Mofussil of India, and we doubt not that the recently established High Court of the North West Provinces will speedily effect a similar change.

within its jurisdiction under the guidance of its able and experienced Chief Justice

By the Act (XIII of 1865) which abolished\* grand juries in the Presidency Towns provision was made for the Judges of the High Courts going on circuit in the interior and there exercising at fixed places and times, under a commission granted by the Governor General in Council, all or any of the powers vested in such High Courts. This portion of the law has not yet been put into practical operation but when it is we shall see ambulatory courts in the Mofussil exercising powers similar to those now exercised in England by the Judges on circuit under their five commissions of Assize, of *Nisi Prius* of the Peace of Oyer and Terminer and of General Gaol Delivery—all the authority of which or some thing similar will doubtless be included in the single commission of the future Indian Judges of Assize. In order to transact the immense amount of business arising in a country so vast in extent compared with England the Act provides for associating with the Judges of the High Court

\* A similar fate would seem to await these institutions in England ere long if we are to judge from the proceedings of the grand jury at the Middlesex Sessions in August last—viz —

The foreman of the grand jury upon their entrance into court with the last batch of bills of indictment handed to the court the following presentment which Mr Francis (the deputy clerk of the peace) read

Grand Jury room Sessions house August.

To the Court—We the grand jury assembled at the Sessions house Clerkenwell the 22nd day of August 1866 do hereby respectfully present that in their opinion the office they have now been called upon to occupy is of no manner of use and ought as speedily as possible to be abolished.

They consider the presentation of indictments before them to involve a reflection upon the decision of the magistrates who have committed the prisoners for trial and who have had the advantages in the hearing of each case of the legal assistance engaged by both of the parties concerned; also that their attendance on these occasions involves a serious inconvenience and interruption to business to meet which they are often quite unable to make provision—and they do not think the ends of justice in any way promoted by the continuance of the system.

They therefore beg respectfully to express their hope that steps may be speedily taken to abolish altogether the said office.

Signed on behalf of the grand jury

CHARLES BALLANCE Foreman.

That gentlemen liable to serve on the grand jury would gladly be relieved of the task might well be inferred from this and from the case of the man Mayhew brought up for perjury who seems to have earned a livelihood by making false affidavits to excuse persons summoned to sit on the grand jury. The matter of form way in which the duties of the office are performed was lately instanced by a man being tried and convicted and sentenced on a bill which the grand jury had ignored !

an *Associate Judge* who may be a Barrister at-law of not less than five years' standing or any Sessions Judge. The Associate Judge may sit with the High Court Judge in which case the latter shall preside or by himself when so directed for the trial of persons who are not European British born subjects. The appointment of an Associate Judge is a most useful provision for securing on a single Bench that union of legal ability and practical experience of the country, to obtain which in a single individual has been the aim of years of judicial reform in India. To this union already secured on the High Court Benches by the Act for the establishment of these Courts and by their respective Charters must be attributed much of the success which has hitherto attended the working of these institutions and according as this union is perfected in the individual as well as in the institution we may expect to find still greater progress made towards an administration of criminal justice which will stand second to none in the world. Improved means of communication including more especially the extension of railways will at no distant date render feasible a system of circuits in India, which were formerly impossible in a country where rivers were unbridged and roads unmade and where the immense distances to be travelled together with the insuperable difficulties of climate, would peremptorily have forbidden aspirants after legal fame to 'ride the circuit' as so many of the great architects of the English system of jurisprudence were wont to do in their day.

II The *Court of Session* is the highest tribunal out of the Presidency Towns, which is vested with original criminal jurisdiction. This court can try all persons resident within its jurisdiction except European British born subjects and can direct the following punishments—viz death subject as we have seen to confirmation by the High Court transportation imprisonment for a period not exceeding fourteen years including such solitary confinement as is authorized by law fine to an unlimited amount or both transportation and fine, or both imprisonment and fine also forfeiture and whipping where provided by law. Before this court are tried all cases committed by the Magistrates, and it may be termed the only Superior Court of original jurisdiction in the Mofussil until the Judges of the High Court go on circuit under the provisions of the Act already mentioned. A more extended notice of the proceedings before the Court of Session will be found under the third head of this article, before coming to which it will be necessary to consider

the proceedings before the subordinate or minor criminal authorities, which stand next in ascending order to measures for the apprehension of offenders and the detection of crimes and the consideration of which has been postponed by the above digression intended to enable the reader to understand more clearly what follows by his having first had a bird's eye-view of the whole of the criminal systems of the two countries

3rd—Next below the Court of Session come the Magistrates who are of *three grades* all of which we comprise in the term subordinate or minor criminal authorities. In the first grade are included *Magistrates of districts* and other officers authorized to exercise *the full powers of a Magistrate* which warrant the officer vested therewith to sentence to two years imprisonment including such solitary confinement as is authorized by law or to fine not exceeding one thousand rupees, or to both fine and imprisonment and also to whipping in certain cases. The *second* grade consists of *subordinate Magistrates of the first class* who can sentence to imprisonment not exceeding six months or fine not exceeding two hundred rupees or to both fine and imprisonment where provided by law and also to whipping in certain cases. The *third* grade consists of *subordinate Magistrates of the second class* who can sentence to imprisonment not exceeding one month, or fine not exceeding fifty rupees or both where provided by law. The Code lays down by what court or officer every offence is *triable* and the above is only the scale of sentences which may be passed by the authorities, by which each offence is *cognizable*.

The distinction between a Magistrate of a district and "an officer vested with the full powers of a Magistrate" lies in the following points. *First*—The former has direct *executive* authority over the police of the district, none of which can be exercised by the latter who is not authorized to interfere with the police. *Second*—The Magistrate of the district sitting as a *judicial* authority is a court of appeal from the decision of the subordinate Magistrates of the first and second class. Any officer exercising the full powers of a Magistrate may however be invested by Government with this appellate authority. This is a useful provision for relieving the District Magistrate, who in his other capacities has so many duties to perform and it is a politic provision for separating judicial from executive functions where the services of a second officer are available. It is difficult to understand why it has not been put in practice as yet in a single instance. *Third*—As a judicial authority the Magistrate of the district may call for the records of subordinate courts

to satisfy himself of the legality of their orders and of the regularity of their proceedings and if he find them contrary to law, may refer them for the orders of the High Court. The same remark applies to this power as to the exercise of direct appellate jurisdiction and this duty also would be more efficiently and usefully performed by an officer who discharged only judicial functions and whose time was not taken up with executive duties. *Fourth*—When a subordinate Magistrate tries a case *in which he has jurisdiction* but considers that a more severe punishment is required than he is competent to inflict he may submit his proceedings to the Magistrate to whom he is subordinate who may pass a suitable sentence. A similar remark to what has been above made is applicable to this third branch of the exercise of appellate jurisdiction. *Fifth*—The Magistrate of the district may without any complaint being made take cognizance of offences and institute proceedings. An officer exercising the full powers of a Magistrate is not vested by law with a similar authority unless he be in separate charge of a division of a district in which case he or even a subordinate Magistrate is so empowered. This is a most useful ministerial or executive prerogative and may be well contrasted with the state of English law, as explained by Sir Frederick Roe Chief Magistrate at Bow Street to the Criminal Law Commissioners of 1837 122 — A “Magistrate at present with the most active mind and best intentions dares not act without a complaint on oath is made before him and some person charged. Although a most atrocious crime may have been committed he cannot initiate any proceeding. We may notice here that perjury and forgery in their several ramifications require for their prosecution the previous sanction of the court in which they have been committed or discovered and are therefore exceptions to the above rule. So also are offences falling under the head of contempts of the lawful authority of a court or public servant similarly prosecutions for offences against the State or for misfeasance in the judicial office &c, require the previous sanction of Government. The reader will doubtless be able to recall to mind similar provisions of English law.

In their ordinary original judicial capacities the ‘Magistrate of the district and the officer exercising the full powers of a Magistrate’ stand on an equal footing, and from the decisions of both, as judicial authorities, an appeal lies to the Court of Session unless the sentence passed do not exceed one month’s imprisonment or a fine of fifty rupees (£5), in which case there is no appeal.

Officers exercising the full powers of a Magistrate, whether in their capacity of District Magistrate or otherwise are then in the descending scale the next judicial authorities to the Court of Session. They have final jurisdiction in respect of the great majority of offences always bearing in mind that their sentences like those of every criminal court in the Mofussil can be appealed against. The offences which they cannot try, and which are reserved exclusively for the Court of Session are generally speaking the following — Offences against the State, the more serious offences relating to the Army and Navy perjury forgery offences connected with coin and Government stamps offences affecting human life kidnapping abduction slavery rape unnatural offences adultery bigamy &c. In respect of many other offences the Magistrate has a concurrent jurisdiction with the Court of Session and a committal to this latter tribunal is only proper when a punishment is required more severe than the Magistrate is competent to inflict. Whether then we look to the large number of offences in respect of which he has jurisdiction or to the punishments, which he is by law competent to inflict the officer exercising the full powers of a Magistrate is a very important judicial authority and for the correct discharge of his functions he ought to possess a good knowledge of criminal law and of the principles of evidence.

There is one kind of Magistrate in the Mofussil, (we speak of the Bengal Presidency) who seems to be an anomaly in the present state of the criminal law. We speak of a *Joint Magistrate*. The office and designation of this officer appear to have had their origin in a Regulation (XVI) passed so far back as 1810. The preamble of that Regulation states that the Zillah and City Judges under the rules then in force held also the office of Zillah or City Magistrate but that it was found expedient (probably from press of work) to appoint in many places a distinct officer to the post of Magistrate also that it had appeared advisable to vest the Magistrates of certain Zillahs with concurrent authority in contiguous or other jurisdictions as *Joint Magistrates*. The Regulation then goes on to enact that when a distinct officer not being the City or Zillah Civil Judge was appointed to the post of City or Zillah Magistrate the Judge might also be authorized to exercise a *concurrent jurisdiction* as a *Joint Magistrate*, and also that, when it seemed advisable, one Zillah or City Magistrate might be vested with concurrent authority in any contiguous or other jurisdiction. The old Superintendents of Police for the



divisions of Calcutta Dacca, Moorshedabad, Patna, Benares, and Bareilly, could, under the same Regulation be vested with concurrent jurisdiction as Joint Magistrates. Now from the preamble and the whole tenour of this Regulation it will be evident that under its provisions the following persons only could be appointed Joint Magistrates *viz* —

1st—City and Zillah Civil Judges

2nd—The old Superintendents of Police

3rd—City and Zillah Magistrates by vesting them with concurrent authority in contiguous or other jurisdictions

To the *first* it is now totally inapplicable. The *second* have been abolished and with respect to the *third* the law has not yet been repealed and under its provisions most undoubtedly, the Magistrate of one district could be vested with a concurrent jurisdiction in a contiguous district as a Joint Magistrate but then we conceive his jurisdiction would extend to the police also. The old Regulation does not authorize any separate individual holding none of the three posts to be appointed to exercise *concurrent* authority as a *Joint Magistrate*. Let us now see what is understood and implied by this designation at the present day. First of all it means a civil servant who occupies a certain grade in the service carrying with it a certain fixed salary. He may be and often is employed at other duties in the discharge of which no magisterial functions are required or exercised. The *Joint Magistrate* of a district is understood to mean an officer exercising the full powers of a Magistrate as we have defined and explained this term above. For it has been ruled that he has no authority to interfere with the police administration and the Code of Criminal Procedure does not mention any such authority as a Joint Magistrate. We say understood to mean "for there is no Law Act or Regulation, that we are aware of that gives this meaning to the term and we believe that to gazette or appoint a man a *Joint Magistrate*" confers upon him no more legal authority than would be conferred by gazetting a man an "Assistant Magistrate" a term created by the same old Regulation and like the other term afterwards used to denote a civil servant of a certain grade, but dropped as the title of a judicial officer, since the introduction of the new Code. The term "Joint Magistrate" should be similarly laid aside, and civil servants should be denominated by some proper distinctive epithets having especial reference to their grade and fixed salary, their official designations being distinct and appropriate to the executive or judicial parts held by them. Instead of officers

being gazetted as Joint Magistrates or to officiate as Joint Magistrates, when it is intended that they should exercise judicial powers they should be simply invested with the full powers of a Magistrate as defined in the Code

The procedure in trials before a Magistrate of any grade is *twofold*. We shall characterise this twofold procedure as Regular and Summary. Under what procedure an offence must be tried depends upon *whether it is punishable under the Penal Code with imprisonment for a period exceeding or not exceeding six months*. There are however some offences punishable with fine only and what procedure is applicable to the trial of these the law saith not. If the offence is punishable with imprisonment *not exceeding six months* the Summary Procedure is applicable but if the imprisonment may exceed six months the Regular Procedure must be followed.

Under the Regular Procedure in cases other than those sent in by the police a Magistrate on a complaint being made may issue his warrant for the arrest of the offender. The trial commences with the examination of the complainant, and his witnesses in the presence of the accused who is permitted to cross examine them either personally or by means of his counsel or authorized agent. The evidence is taken down in the vernacular of the district and the Magistrate makes moreover a memorandum of the substance of what each witness deposes which memorandum must be written and signed by the Magistrate with his own hand and annexed to the record. The vernacular deposition must be read over to the witness and a memorandum signed by the Magistrate must be attached to it certifying that it was so read to him in a language which he understood (naming the language) and that he admitted it to be correct. The Code of Criminal Procedure does not require witnesses to sign their depositions, though the Madras High Court have expressed an opinion that they ought in all cases be asked to do so. Under the 11 and 12 Vict cap 42 sec 17 depositions taken by Justices are directed to be signed by the witnesses as well as by the Magistrates. It is competent to the Local Government to direct that in any district subordinate to it the vernacular deposition be discontinued and that the Magistrate take down the whole witness's statement with his own hand in his own language and the evidence so taken down after being read over to the witness in the language of the latter is to be signed by the Magistrate. This last mentioned procedure has been now more than two years in practice in the territories under the Bengal Lieutenant Governorship and it is creditable to the

linguistic proficiency of Europeans holding magisterial appointments that during this period no complaint has ever been made of any failure of justice or error arising out of the practice

Where (as often happens in a country in which there are so many dialects as in India) the evidence is given in a language not understood by the accused it must be interpreted to him in open court in a language which he is able to understand. As a guide to the appellate court the Magistrate is to record such remarks as he may think material, respecting the demeanour of any witness while under examination

It is in the discretion of the Magistrate at any stage of the proceedings to summon and examine any person, whose evidence he may consider essential to the enquiry. The importance of this provision will be understood when it is remembered that there is no public prosecutor, and that poor and illiterate complainants unassisted by legal advice are little able to present their cases before a criminal court in the guise most likely to secure substantial justice. The Magistrate may from time to time at any stage of the enquiry *examine the accused person and put such questions to him as he may consider necessary. It is however in the option of the accused person to answer such questions or not.* No influence by means of any promise or threat is to be used in order to induce the accused to make any disclosure but if he of his own accord propose to confess the commission by him of the offence of which he is accused the Magistrate shall require him to give an account of the facts and circumstances in detail, and shall examine him thereupon in the same manner as if he were a witness. But no oath or affirmation is to be administered to him. The propriety of this mode of receiving a confession will be best estimated by those who have studied the subject and who know how frequently false confessions are made from divers causes—mistake of fact or of law the desire to stifle enquiry weariness of life shame, vanity and the desire to benefit or to injure others \*

A confession received under the above safeguards provided by the Indian Code might well be allowed all the conclusiveness that has been claimed for such evidence by the warmest advocates for its reception and decisiveness

*The examination of the accused person, including every question put to him and every answer given by him is to be recorded in full and to be shown or read to him, and he is at*

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\* See the very excellent chapter on the subject of Confessions in Mr Norton's work on Evidence

liberty to explain or add to his answers and when the whole is made conformable to what he declares to be the truth, the examination is attested by the signature of the Magistrate, who must certify under his own hand that it was taken in his presence and in his hearing, and contains accurately the whole of the statement made by the accused person. By the above excellent provisions, calculated to secure substantial justice by allowing an accused person to explain doubtful portions of his conduct and to be silent or speak as he pleases leaving the court to draw the natural inferences from his conduct in either respect the Indian Code of Criminal Procedure has cut the Gordian knot which those could never untie to their own satisfaction who had before them the state of things at the present day in France and who looked back to those pages in our own history, when the French fashion of interrogating the prisoner was in vogue in England, and when subservient attorneys \* and solicitors general used it with the worst effect to brow beat an obnoxious accused and secure a conviction for the Crown when too such men as Jeffreys and Scroggs sat on the Bench, and practised the arts which had raised them thither in those days when public and private liberty were assailed by the very ministers of justice, who ought to have been her staunchest defenders. The provisions of the Indian Code, while respecting the maxim *nemo tenetur seipsum accusare* in this that the prisoner is not compelled to speak avoid at the same time turning this maxim against an innocent man who cannot accuse himself because he is not guilty and whose mouth is closed under English Procedure, where he might indicate his innocence to the satisfaction of an unbiassed court or jury. At the same time the extravagancies of the French system which assumes an accused man guilty till he proves his innocence a theory so revolting to the British feeling of fair play such extravagancies as were witnessed on the trial of the Duke de Praslin † in 1847 and of the Monk Le otade, ‡ and in the affair of St Cyr § are rendered impossible. Since the introduction of the Code there has been a single instance of a misapplication of the law. An accused person was treated as a recusant witness and punished with

\* See the Dialogue between Bromley the Solicitor-General, and the Duke of Norfolk on the trial of the latter *Lives of the Chancellors* II. p 239 240

† See extract, at page 125 of Mr Norton's work on Evidence

‡ See Mr Stephen's Work p 442, &c

§ See Do p 468

imprisonment for refusing to answer a question The High Court however quickly corrected such a plain misinterpretation of the Code

We have already remarked that all offences contained in the Indian Penal Code, are by law declared bailable or non-bailable In the case of a *non bailable* offence the accused person must not be admitted to bail, if there appear reasonable ground for believing him guilty When the evidence is not such as to raise a strong presumption of his guilt, the Magistrate has a discretion to receive bail Where a Magistrate refuses bail, the Court of Session may direct bail to be taken, with advertence undoubtedly to the same principles This slightly differs from English practice, under which it is well established that the Court of Queen's Bench can bail in all cases no matter how serious, the principle of the law, says Mr Stephen apparently being that bail should be taken if the prisoner's appearance can be secured by it \*

If it be necessary to adjourn the case the Magistrate may do so by a *written order*, but no adjournment is to exceed *fifteen* days We believe that this excellent provision of the law is not always acted up to, and that in consequence more persons are subject to an action for false imprisonment than are aware of their liability We knew one instance in which a man was kept three months in jail without ever having been even once, we believe, brought up and we have known many instances of parties being detained on adjournments exceeding fifteen days

When the evidence of the complainant and of the witnesses for the prosecution, and such examination of the accused person, as the Magistrate shall consider necessary, have been taken the Magistrate, if he finds no offence proved against the accused, shall discharge him If, on the other hand, he find an offence apparently proved against him, he is to prepare in writing a charge which states briefly in the language of the Penal Code the offence of which the prisoner is accused All the technicalities of English law, which once so often facilitated the escape of undoubted criminals, have been entirely banished from this form of an Indian indictment The charge is read to the accused person who is asked whether he is guilty or has any defence to make If he make a defence he is allowed to call witnesses, and an adjournment may be made

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\* See *R. v McCartie* 11 I Com. Law Rep 188

for the purpose of securing their attendance *He may also recall and cross-examine the witnesses for the prosecution*, a privilege which is most important to the accused after the *pinch* of the case has been ascertained by the above preliminary proceedings. We may here remark that the law does not appear to contemplate any examination of the accused *after* the charge has been read to him, and he has been called upon to plead to it. It will be observed that the proceedings up to the preparation of the charge offer a strong similitude to oral pleadings carried on till the criminal issues in the case have been arrived at. The accused person has an opportunity of admitting certain facts, which then need not be proved and of traversing all that tells against him or that he denies. The preparation of the charge is the fixing of the issues, and the defence then proceeds to prove all the burden of proving which properly falls on that side. Under the English system every material averment in the indictment must be proved, because the prisoner can only pronounce the two words 'not guilty' and witnesses are in consequence often called to prove what the prisoner is ready to admit. But under the Indian system this useless waste of time and money is saved and the salient points of the case can be dealt with at once. After the defence has been closed the code makes no express provision for counsel addressing the court, and the Magistrate proceeds at once to his finding discharging in his individual capacity the functions of Judge and jury. In India as in England the sacred maxim prevails that no man can be twice tried or twice vexed for the same offence. An acquittal therefore under a formal charge would be a bar to a second trial for the same offence but a discharge of the accused person at the close of the preliminary proceedings and before a charge had been drawn up or pleaded to \* would not be a bar to fresh proceedings in respect of the same offence. By bearing this in mind, failures of justice can be prevented by not putting a man on his trial against whom there is not a sufficient case and all the advantages of the Scotch verdict "Not Proven" can be secured by a course of procedure, to which there can be no practical objections.

We now come to the *Summary* mode of *Procedure* under which a summons issues ordinarily at first instead of a warrant. If, however the accused do not appear in answer to the

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\* So ruled by the Calcutta High Court. See I *Weekly Reporter Criminal Letters*, page 11

summons either at the first or at an adjourned hearing, a warrant will issue to enforce his attendance. On the day fixed for trial if the complainant do not attend, the Magistrate *shall* dismiss the complainant, unless for some reason he shall think proper to adjourn the hearing. The law makes no provision for restoring to the file a complaint once dismissed. Ordinarily speaking, a complainant \* is expected to bring his own witnesses but he can obtain a summons on showing satisfactorily that they will not attend of their own accord. It must be remembered in judging of this provision that all criminal process is served in India by the police *free of cost*. The Magistrate may *suo motu* summon any witness whose evidence he considers necessary. The trial commences by reading out to the accused the substance of the complaint made on solemn affirmation, upon which the summons was issued. If the accused admit the truth of it he may be convicted then and there. If he deny the truth of the complaint, the Magistrate proceeds to hear both parties† and their witnesses making *merely* a memorandum of the substance of the evidence and recording such remarks as he thinks fit respecting the demeanour of the witnesses. He may however if for any reason he thinks fit to do so take down the depositions at length in the manner provided under the Regular Procedure. The accused person may be permitted to appear by an agent duly authorized, though at any time his personal appearance may be directed. The sentence, if it be one of fine only may be pronounced in the presence of the agent but it would appear that the accused must appear in person to hear a sentence of imprisonment. Where the Magistrate dismisses a complaint as frivolous and vexatious he may award amends not exceeding 50 rupees (£5). If the accused person is convicted, the Magistrate passes sentence on him in a form that shows on its face the Section of the Penal Code under which the conviction has been had. If the Magistrate sign his proper official designation and record the *caption* in a proper manner (which is seldom however done in Mofussil practice) it is evident that there would

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\* See Circulars 87 and 105 of the Calcutta Court, pages 119 and 125, of Hume's Manual. Part II.

† Section 266 says, *and also to hear the accused person* but whether on oath or affirmation, as a party to a civil case does not appear clearly. Chapter XV certainly contains no prohibition similar to that in Section 204 relating to the Regular Procedure. But Section 43 mentions only complainants and witnesses as the persons who are to be examined on oath or affirmation. We would like to see the point discussed.

be a complete record showing jurisdiction or otherwise on the face of the proceedings. If the complainant, at any time before the final order is passed, satisfy the Magistrate that there are sufficient grounds for permitting him to withdraw the complaint, he may be permitted to do so, but this will be a bar to the complaint being again entertained. In cases to which the summary mode of procedure is not applicable (*i.e.* trials for offences punishable under the Code with *more than six months'* imprisonment)\* compromises are not allowed, and a case once brought into court must proceed to a final issue. The intelligent reader will notice the different mode of recording the evidence, and the absence of a formal charge, as well as the other points of distinction between the Summary and Regular modes of procedure. Whatever be the powers of the Magistrate trying any case he follows the procedure applicable to the class of offence charged. The powers with which he is invested (*i.e.* whether he be an officer exercising the full powers of a Magistrate or a subordinate Magistrate of the first or second class) affect only the sentence which he is competent to pass and the offences in respect of which he has jurisdiction. The cases to which the Summary Procedure is applicable are those of assault and other petty offences. In such cases the recording of lengthened depositions would be a useless waste of time but there is one point in which the mere memorandum is unsatisfactory, *viz.*, on the hearing of an appeal which is allowed, as well on the *facts* as on the law of every case, a mere memorandum is a very insufficient guide to the appellate court. There is no very obvious remedy for this, but we hope the time is not very far distant when the proficiency of Mofussil Magistrates will allow an appeal to be taken away in all cases to which the Summary Procedure is applicable. It may be observed that the manner in which the evidence is to be recorded in a civil court depends entirely on whether an appeal will lie or not.

Having now disposed of the subject of Magistrates sitting as petty criminal Judges and competent to pass sentences with various limits according to the powers with which they have been invested we come next to consider the proceedings held before a Magistrate with a view to commit the accused person for trial before a superior tribunal, which in the Mofussil is the Court of Session. The first question that

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\* See Sections 213 and 114 of the Penal Code and also the remarks in our article on Indian and English Criminal Law pp. 887-8 of the last No of the *Review*



arises is, who is competent to hold the preliminary enquiry, and make a committal to the Court of Session? The law does not settle this point by direct provision, but only by indirect inference but it is clear that authority to hold a preliminary enquiry with a view to committal, is part of the full powers of a Magistrate. The Code also enables the Local Government to invest any subordinate Magistrate of the first or second class with this authority. Sitting to hold a preliminary enquiry into a case triable by the Court of Session a Magistrate is not a "Judge" within the meaning of Section 19 of the Penal Code, nor does he "act judicially" so as to be entitled to the same protection that he enjoys when sitting as a petty criminal Judge to try and pass sentence\*. A somewhat similar distinction obtains in England between the ministerial and *judicial* functions of a Justice Authority to commit, as well as to hold a trial and pass sentences, is exercised by a single Magistrate. The place where preliminary investigations are held is an open and public court to which the public generally may have access, but the Magistrate has power if he think fit to do so to order that during the investigation into any particular case, no person shall have access to or be, or remain in such room or building without the permission of the court. This is substantially the same as the English law on the same subject though there is no direct provision of English law that we are aware of which declares such a place an open court, until the Magistrate direct the public to withdraw†. The fact of the Indian Code expressly declaring the room or building, where a preliminary enquiry is held to be an open court might however have an important bearing in a trial for defamation‡ by the publication of a report of the proceedings.

A Magistrate sitting to hold a preliminary investigation with a view to make a committal must take down the depositions of the witnesses and the examination of the prisoner in precisely the same manner as if he were acting

\* Act XVIII of 1850

† See however 11 and 12 Vict cap 49 sec 19 and note page 972 of Warren's Law Studies. In *Duncan v Thwaites* 3 B and C 588 it was laid down that the report of a preliminary examination before a Magistrate was unlawful but Lord Campbell subsequently expressed an opinion considerably modifying this *dictum*. See Addison on Wrongs and their Remedies pp. 695-6.

‡ See also the fourth exception with the explanation to the definition of Defamation in the Penal Code.

judicially, with an exception in respect of one point only. He need not record any remarks as to the demeanour of the witnesses.

A pardon may be tendered by the Magistrate to any one or more of the persons supposed to have been directly or indirectly concerned in *any offence triable by the Court of Session*, on condition of his or their making a full, true and fair disclosure of the whole of the circumstances within his or their knowledge, relative to the crime committed, and every other person concerned in the perpetration thereof. A person who accepts the tender of a pardon is to be examined as a witness. Any Magistrate who has power to commit may tender a pardon\*. There are some offences triable both by the Court of Session and by the Magistrate with full powers, but the latter cannot tender pardon in any case which he intends to try himself†. The High Court and Court of Session may direct the Magistrate to offer a pardon, when such a course seems advisable. If the person to whom a pardon has been tendered after accepting it do not conform to its conditions, either by wilfully concealing anything essential or by giving false evidence or information he may be committed for the offence, in respect of which the pardon was tendered. Whether the deposition given by the prisoner while the promise of a pardon lasted can be used in evidence against him afterwards, the law does not say. Probably not, as the statements contained therein had been made after an *inducement* had been held out. Under English law no Magistrate can tender a pardon but the accomplice is examined on the understanding that, if he gives his evidence in an unexceptionable manner, he will be recommended for a pardon, which recommendation is usually attended to. In making an accomplice liable to ulterior consequences if he fail in his duty as a witness, the Code follows English in preference to Scotch law, which latter will not allow a man to give evidence with a halter about his neck, and prohibits from ever placing an accomplice in the criminal dock to answer to a charge touching

\* Calcutta High Court, Criminal Letter No. 785 of 1863 Revenue, Judicial, and Police Journal. Vol. II p. 24.

The Madras High Court has, on the contrary, ruled that only a Magistrate with full powers can tender a pardon, and in this view of the law a subordinate Magistrate, vested with committing powers could not do so but Query.

† Criminal Letter No. 95 of 1862 of late Calcutta Nizamut Adawlut Hume's Manual Part II p. 123. The Madras Court has a contrary ruling.

an offence, in respect of which he has once been called to give evidence. There can however be no doubt that the Scotch principle would not help the administration of justice in this country though the adoption of the contrary one should make Judges and juries most careful of convicting on the uncorroborated testimony of an approver.

The accused person may, with the Magistrate's permission, appear by an agent during the preliminary proceedings. This permission may however at any time be withdrawn, and the personal attendance of the party be directed. It is entirely in the discretion of a committing Magistrate to bear evidence for the defence, and he must be guided by the nature of the case, made out against the accused person. When the Magistrate has made up his mind to commit the prisoner, he draws up a charge in the form prescribed by the Code, and referred to already. This charge must be read to the prisoner and a copy or translation furnished to him, if he require. He is then requested to give in orally or in writing a list of the witnesses whom he wishes to be summoned to give evidence on his behalf before the Court of Session. These witnesses are summoned free of cost and their expenses for attendance before the Court of Session being paid by Government \* a poor man has in India facilities

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\* We noticed this point in our former article (see page 400 of No. 86 of the *Calcutta Review*) and we also remarked that the denial of the exceptions in a charge for murder facilitated the prisoner's defence in a trial for this crime inasmuch as this practice would throw on the prosecutor the burden of proving the non existence of these exceptions. We referred to the form of a charge for murder prescribed by the Calcutta High Court which form has we believe been either followed or inaugurated pretty generally wherever the Code of Criminal Procedure has been introduced. The Calcutta High Court, indeed subsequently ruled in the case of *Government v Ramasawmy* referred by the Recorder of Moulmein (*Weekly Reporter* Vol V) that it is not necessary to deny in the charge the existence of the exceptions contained in Section 300 of the Penal Code. There can be no doubt of the correctness of this ruling on general principles. It throws the burden of proof where it ought to fall and makes the law in this respect correspond to the law of England. It is moreover in strict accordance with Section 237 of the Criminal Procedure Code. When the Section referred to in the charge contains an exception not being one of such general exceptions, the charge shall not be understood to assume the absence &c. without a distinct denial &c. Now the Section referred to in a charge for murder is 302 and the exceptions are contained not in this Section but in Section 300. Therefore Section 237 of the Code of Criminal Procedure does not apply to the case at all and there is no other Section that does. Sections 235-6 certainly do not, as the exception in question does belong to the general exceptions in Chapter IV. The English rule as laid down in

for his defence which are not enjoyed in England where the system is perfect, as Mr Stephen justly remarks, *only when money is no object on either side*. In order, however, to prevent abuse, the Magistrate has power to refuse to summon any witness, whose name he believes to be included for the purpose of vexation or delay or of defeating the end of justice until the costs of obtaining his attendance be first deposited. The prosecutor and witnesses are bound over in their own recognizance to attend before the Court of Session. The record together with any weapon or article of property connected with the case is forwarded to the Court of Session, and the Government Pleader receives an order to conduct the prosecution before the Superior Court. The accused person, if he apply in time is entitled to copies of the depositions, which are made at his expense.

Thus far the law and those who are *juris consulti* will recognise the excellencies of more than one system carefully gathered and embodied in the Code which retains all the portions of our English law which favour the maxim that every man is to be presumed innocent till proved guilty, while it has drawn from other sources the best provisions on those points which have been found weak or defective by experience. The action of the police the subordination of this body to the Magistrate of the district, the power of a Magistrate sitting judicially or holding a preliminary enquiry to summon witnesses issue search warrants, &c., *suo motu* and the examination of the accused present the best features of the French system but without any of those adjuncts that have brought that system into disrepute with *juris prudentes*. There remains however yet one point, and that a very important one which we must notice. The law provides as we have seen, for sending the record to the Court of Session and the record would usually consist merely of the depositions and the prisoner's examination.

There was however a practice in use before the introduction of the Code of sending up a *Calendar* which contained the *grounas of commitment* the names of the witnesses for the prosecution or the defence and the substance of their depositions

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*R v Jarvis* 1 East 644 n applies exactly. If a Statute in the direct "description of an offence and not by way of proviso" contain negative matter the indictment or information must also contain a negative allegation which must in general be supported by *prima facie* evidence. See Taylor on Evidence, Vol. I p 366; also Archbold pp 52 128. Section 800 of the Penal Code contains the direct description of the offence but the exceptions are clearly by way of proviso.

The Code of Criminal Procedure is entirely silent as to the preparation of this instrument, which has however been retained in accordance with previous usage. The grounds of commitment are stated by different Magistrates at various degrees of length. Some Magistrates content themselves with a brief *résumé* of the evidence, others go into the whole case while others reason on the prisoner's defence as disclosed by his examination and sum up on both sides. It is impossible not to recognise in this instrument a strong similitude to the French *Acte d'accusation*—a document' says Mr Stephen signed by the Procureur Général which not only recapitulates all the grounds from which the Ministère Public as the public prosecutors are called collectively infer the guilt of the accused but also frequently states and refutes by anticipation the arguments for the defence. We admit that the absence of a public prosecutor in India, and the difference of a Magistrate's position from that of a French Procureur Général considerably alter the case but still the *Calendard* has about it the general characteristics of the *Acte d'accusation* and where the committing Magistrate is known to be an intelligent and able officer it must tell immensely against the prisoner, if he sums up strongly against him in the "*grounds of commitment*". Be it remembered that there is in the Mofussil no active bar whose very presence secures the sifting of the truth by the searching tests of justice, and if the fact of a man's guilt be accepted by the Judge or the jury (if there be one) his innocence will not be sought out with the same care and attention that are bestowed by a mind that has received no impression and which must make an effort of judgment in order to believe either story.

We now come to the proceedings before the Court of Session and first we may remark that except in a few cases of perjury and forgery the Court of Session, as a court of criminal jurisdiction takes cognizance of no offence but upon a charge preferred by a Magistrate. It may however, in the case of offences not triable by the Magistrate direct the commitment of any accused person whom he may have discharged. In a trial before the Court of Session, the prosecution is conducted by the Government Pleader, a Vakeel, employed by Government on a small retaining fee, whose interest in the case and knowledge of criminal law are generally about equal. The trial commences by reading the charge to the accused and asking him whether he pleads 'guilty' or claims to be tried. If he plead 'guilty' he may be convicted on this plea. If he claim to be tried,

the proceedings are a repetition of what has taken place before the Magistrate. The depositions of the witnesses are taken down in the same manner in presence of the accused who has the right of cross examination. The court may examine\* the accused person as the Magistrate examined him and his examination before the Magistrate is evidence, apparently *for* as well as *against* him. Under English law it has been held that a prisoner's statement before a Magistrate is not admissible as evidence in his favour, though it is received against him. At the close of the case for the prosecution the accused person is called upon to enter upon his defence and produce his evidence. At the close of the evidence on behalf of the accused if any evidence is adduced on his behalf or otherwise at the close of the case for the prosecution *the court may* put any question to the accused person which it may think proper. It shall be in the option of the accused person to answer such question. This Section points to a different rule for interrogating the prisoner at the Session trial from that which is allowed before the Magistrate but a previous Section (364) would seem to extend this latter procedure in its entirety to the trial before the higher court †

At the close of the case for the prosecution or at the close of any evidence that may be adduced for the defence or after the putting of any question to the accused person by the court the prisoner or his counsel or agent may address the court. If any evidence is adduced on behalf of the accused person or if he answers any question put to him by the court the prosecution is entitled to reply. There are no similar provisions applicable to a trial before a Magistrate.

In order to prevent any failure of justice and to obviate the consequences of carelessness or ignorance in the preparation of the case for trial the Session Judge has ample powers. He can amend the charge postpone the trial summon additional witnesses and make an adjournment whenever he finds any of these courses proper for the interests of justice. At the close of the whole case a Judge sitting with Assessors who are members of the court asks them for their opinion which is delivered orally and recorded in

\* So ruled by the Madras High Court and clearly in accordance with Section 364 where "*parties*" would seem to include both prosecutors and accused persons. See however Section 373. We may here remark that under the Summary Procedure the prisoner cannot be interrogated.

† See above note

writing by the Judge together with the reasons \* for the same. The decision however on matters both of law and fact is vested in the Judge. In trials by jury the Judge sums up the evidence on both sides and *a statement of his charge to the jury must form part of the record*. This practice enables the High Court as a Court of Revision, to examine the proceedings and ascertain if the jury have been wrongly directed. Where the trial is with the aid of Assessors only and not by jury the Judge must record the grounds of his decision. It will thus appear in any case that an Indian Judge holding a trial in a Court of Session has to do an amount of writing far exceeding what is required in any criminal trial in England. The depositions of the witnesses have to be recorded at full length, and this together with the writing and subsequent delivery of the charge takes up more time than is required by similar proceedings at home. At the same time, however, it must be remembered that great care and accuracy are thus secured and that to enable the High Court to exercise its revising and appellate authority, an unabridged record is almost absolutely necessary.

Speaking of the functions of an English Judge in a criminal trial Mr Stephen says — His position from first to last is “that of a moderator between two litigants. He permits or forbids certain things to be done, but he originates nothing.” And elsewhere he remarks that he ought to have the power of requiring further witnesses to be called and if necessary, of adjourning the case till they were produced. It will have been noticed that all this has been done in India under the Code of Criminal Procedure. Again Mr Stephen observes — “One other reform would be required to stop up a common source of failures of justice. When it was doubtful whether a particular transaction amounted to one or the other of two or more crimes it should be lawful to frame the indictment in the alternative. This useful reform too has been accomplished in India †

It must be observed that no prisoner can come for trial before a Court of Session without a Magistrate having made a preliminary investigation and formally committed him. In English Procedure however this preliminary process may be sometimes wanting ‡ as when a prisoner is committed by a Coroner in pursuance of the verdict of *his* jury or where a

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\* The Calcutta High Court wish the reasons to be stated in every case. The law is silent on the point.

† See Sec. 242 of the Procedure Code

‡ See Broom's Commentaries p 875

supposed criminal is arrested by virtue of a warrant issued by the Privy Council or a Secretary of State, or where an information is filed by the Attorney General *ex officio* or where a presentment is made by the grand jury of an offence within their own knowledge or observation or where a private person prefers a bill to the grand jury, without preliminary notice against an absent person

We have already remarked that at the preliminary enquiry before the Magistrate, the accused person may obtain permission to appear by an agent duly authorized by him and in trials under the summary mode of procedure the same course is open to a criminal defendant. The law however clearly contemplates the accused party appearing personally in trials under the Regular Procedure before the Magistrate and before the Session Judge. Under English law a person indicted for felony must in all cases appear and take his place within the criminal dock but on an indictment or information for a crime less than felony the defendant may, by favour of the court, appear by attorney and this he may do as well before plea pleaded as afterwards unto conviction \*

A prisoner committed for trial is entitled to copies of the *charge* and of the depositions in *all* cases. This contrasts favourably with the rule of English law under which a prisoner is not entitled as of right to a copy of the indictment in order to draw up his plea but can only have it read over slowly to him †. The injustice of this has often been remarked upon ‡ but the rule remains the same to the present day. Mr Stephen's suggestion § for supplying copies of the depositions to the prisoner free of cost does not find its realization in the Code any more than in the English Statute book.

We have already remarked on the superiority of the Code over English law in the care taken to produce the witnesses for the defence and remunerate them for their attendance before the Court of Session while at home as remarked by Mr Taylor|| 'to the disgrace of our penal laws no provision "has yet been made for reimbursing such witnesses their 'reasonable expenses however necessary their attendance may be at the trial to establish the innocence of the accused " The hardship that this inflicts on a poor man charged with a

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\* See Roscoe's Criminal Evidence p 181

† See Roscoe p 178

‡ See Taylor on Evidence Vol II p 1266

§ Page 178

|| Work on Evidence Vol II p 1070



serious crime of which he is not guilty, has often been commented upon. On the contrary however the Code is inferior to the 18 and 19 Vict cap 126 and other home enactments, inasmuch as it makes no provision for the payment of the expenses of any witnesses attending before the Magistrates either at a preliminary enquiry or at a trial\*. There is no rule or practice in India by which a poor prisoner can call upon counsel to defend him for a *minimum* fee but the capabilities of the native counsel who practise in the Mofussil and the manner in which the trial is managed render this of less importance in India than it is in England, while an Indian Judge is always ready to watch the case for the prisoner as well as for the prosecution which a Judge at home often expressly intimates that he will do, when a prisoner is too poor to retain professional assistance†. At the same time the law declares it to be the right of every person charged before any criminal court with an offence to be defended by counsel or authorized agent while in England down to 1836 prisoners were obliged to defend themselves without the assistance of counsel except in cases of high treason‡.

We have now reached what must be the limit of our present article though there are many points which we should wish to notice did space permit for example the absence of all distinct provision in the Code for uniting in a single charge more than one offence arising out of different transactions § the question of appeal *versus* pardon in criminal cases the fact that no criminal prosecution is required in any class of cases as a necessary preliminary before a civil action can be commenced the absence of any express provision in the Code enabling criminal courts to restore stolen property to its owners and other points equally interesting. There are also many questions connected with the law of evidence which we would gladly enter upon, but which we are compelled to reserve for some future occasion.

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\* See an article in the *Indian Jurist* of 28th February 1866 No 4. Vol I. See also the 29 and 30 Vict cap 42 and the notice of this Statute (passed last Session of Parliament) in the *Law Times* of 18th August last.

† See Warren's Law Studies Vol. II p 978

‡ See Mr Stephen's Work pages 30 and 194. On the trial of the Duke of Norfolk in the reign of Queen Elizabeth the prisoner asked for the assistance of counsel but the Chief Justice declared the unanimous opinion of the Judges that to allow counsel against the Queen was contrary to all precedent and *all reason* — *Lives of the Chancellors* II p 241

§ See the *Doctrine of Election* discussed Taylor on Evidence Vol I pp 336 8 See also Archbold pp 54-55 and Roscoe p 404.

# APPENDIX.

## ALPHABETICAL LIST

OF

### OFFENCES FOR WHICH THE POLICE MAY ARREST WITHOUT A WARRANT

	Section of the Code	Bailable or not Bailable.
Abduction in every case	363 9	Not bailable
Abetment—as for the offence abetted	109 117	As the offence abetted
Abetment of mutiny or attempting to seduce an officer soldier or sailor from his allegiance or duty	131 2	Not bailable
Abetment of assault by an officer soldier or sailor on his superior officer	133 4	Ditto
Abetment of desertion	135	Bailable
Abetment of insubordination of an officer soldier or sailor	138	Ditto
Abetment of suicide	305 6	Not bailable
Act likely to spread infection done negligently or malignantly	269 70	Bailable
Administering stupefying drug to cause hurt	328	Not bailable.
Animal Omitting to take order with any—in his possession so as to guard against danger to human life or grievous hurt	289	Bailable.
Apprehension resistance or obstruction to the—of himself or of another person	224 5	Bailable un- less the per- son is charged with or under sen- tence for an offence pun- ishable with 10 years imprison- ment or a higher sen- tence
Armed Being hired to go	158	Bailable.
Assault or use of criminal force to deter a public servant from duty	353	Ditto
— to a woman with intent to outrage her modesty	354	Ditto
— to commit theft of property worn or carried by person	356	Not bailable
— in attempting wrongfully to confine any person	357	Bailable.
Attempts to commit offences	511	As for the offences.
Birth—Concealment of—by secret disposal of the dead body	318	Bailable

	Section of the Code.	Bailable or not Bailable.
Breaking open or unfastening dishonestly any closed receptacles supposed to contain property	461 2	Bailable
Building—Omitting to guard against danger to human life by the fall of any—over which the person has a right entitling him to pull it down or repair it	288	Ditto
Coin—All offences connected with	231-54	Not bailable.
Combustible substance—dealing with—so as to endanger human life	285	Bailable
Cumulative labour—unlawful	374	Ditto
Concealing a design to commit an offence punishable with imprisonment or a higher sentence	118 & 120	Not bailable
Concealment of birth by secret disposal of the dead body	318	Bailable
Conveying for hire any person in an unsafe vessel, so as to endanger his life	282	Bailable
Corpse—Offering indignity to human	297	Ditto
Counterfeiting coin—all offences connected with	231 54	Not bailable
———A Government stamp—all offences connected with	255 9	Bailable
Criminal Trespass	447	Bailable
Culpable Homicide	304	Not bailable
———Attempt to commit	308	Bailable
Dacoity—All offences connected with	390 402	Not bailable
Defiling the water of a spring or reservoir	277	Bailable
———A place of worship or sacred object	295	Ditto
Deserter—Harbouring a	136	Ditto
Desertion—Abetment of	135	Ditto
Disease—Negligently or malignantly doing an act likely to spread infection of a— dangerous to life	269 70	Ditto
Drainage—Causing mischief by obstruction to public	432	Ditto
Driving or riding in a public way so as to endanger human life	279	Ditto
Exhibiting a false light mark or buoy	281	Ditto
Exposure of a child under 12 years of age with intent to abandon	317	Ditto
Fire—Dealing with—or combustible matter so as to endanger human life	285	Ditto
———Ditto with explosive substance	286	Ditto
Funeral—Disturbing with intent to wound the feelings or insult the religion of any one	297	Bailable
Government stamps—all offences connected with counterfeiting	255 9	Ditto
Harbouring a deserter	136	Ditto
———an offender charged with or under sentence for a capital offence or an offence punishable with transportation for life or imprisonment for one year or more	212	Ditto
———an offender escaped from custody or whose apprehension has been ordered—if the offence be punishable with one year's imprisonment or any higher sentence	218	Ditto.

	Section of the Code.	Bailable or not Bailable.
Harbouring persons hired to form an unlawful assembly	157	Bailable
House trespass—Simple or to commit an offence punishable with imprisonment	448 & 451 3	Ditto
— to commit any other higher offence	449 58	Not bailable.
Death or grievous hurt caused while committing	459 480	Ditto.
Human life. Doing any act which endangers—or the personal safety of others	336	Bailable.
Causing hurt by ditto	337	Ditto
—Causing grievous hurt by ditto	338	Bailable
Hurt—Causing—by dangerous weapons or means	324	Ditto
—Causing grievous	325	Ditto
—Ditto ditto by dangerous weapons or means	326	Not bailable
—causing—to extort property or a valuable security or to constrain to do an illegal act	327	Ditto
Hurt—Administering a stupefying drug with intent to cause	328	Not bailable
—Causing grievous hurt to extort &c as in 327	329	Ditto
—Causing—to extort confession or information or to compel restoration of property	330	Bailable
—Causing grievous—to extort &c as 330	331	Not bailable
—Causing—to deter a public servant from his duty	332	Bailable.
—Causing grievous—to deter &c as in 332	333	Not bailable
—Causing—or grievous—on grave and sudden provocation	3 4-5	Bailable
—Doing an act which endangers human life or the personal safety of others	336	Ditto
—Causing—or grievous—by such an act	337 8	Ditto
Infection—negligently or malignantly doing an act likely to spread infection of a disease dangerous to life	369 70	Ditto
Kidnapping or Abduction for any purpose	363 7&369	Not bailable
—Concealing or keeping in confinement a kidnapped person	368	Ditto
Labour—Unlawful compulsory	374	Bailable
Light—Exhibiting false	281	Ditto
—Causing mischief by ditto	433	Ditto
Lighthouse—mischief by destroying or moving or rendering less useful a—or sea mark	433	Ditto
Mischief by causing diminution of the supply of water for agricultural purposes	430	Ditto
Mischief by injury to a public road bridge river or navigable channel so as to render it impassable or less safe for travelling or conveying property	431	Ditto.
—by causing inundation or obstruction to public drainage attended with damage	432	Ditto
—by destroying or rendering less useful or moving a lighthouse or sea mark or by showing false lights	433	Ditto

	Section of the Code.	Bailable or not Bailable.
Mischief by fire or explosive substance to cause damage to the amount of Rs 100 or more	435	Bailable
———Same as last to destroy a house	436	Not bailable
———Committed after preparation made for causing death or hurt	440	Ditto
Murder or attempt to murder	302 3 & 307	Ditto
Navigating a vessel so as to endanger human life	280	Bailable
Navigation—Causing danger obstruction or injury in any public way or line of navigation	283	Ditto
Nuisance—Continuation of—after injunction to discontinue	291	Ditto
Obscene—Sale import, or printing of—books or pamphlets &c.	292	Ditto
———Having ditto in possession for sale or exhibition	293	Ditto
———Singing—Songs &c.	294	Ditto
Omitting to guard against danger to human life by the fall of a building over which the person has a right entitling to pull it down or repair it	288	Ditto
Personating a public servant	170 1	Ditto
Prostitution—Selling or letting to hire a minor for	372	Not bailable
———Buying or obtaining a minor for	373	Ditto
Public servant—Personating a	170 1	Bailable
———Causing hurt to deter a—from his duty	332	Ditto
———Causing grievous hurt to deter ditto	333	Not bailable
———Assault or criminal force to deter ditto	353	Bailable
———Concealing a design to commit an offence which it is his duty to prevent	119	As for the offence.
Public way—causing danger obstruction or injury in any	283	Bailable
Rape	376	Not bailable
Receiving stolen property	411 2	Ditto
Receptacle—Opening any closed—containing or supposed to contain property	161 2	Bailable
Religion Destroying damaging or defiling a place of worship or religious object with intent to insult the religion of any class	295	Ditto
———Disturbing a religious Assembly	296	Ditto
———Trespassing in a place of worship or sepulture disturbing a funeral with intent to wound the feelings or insult the religion of any person—or offering indignity to a human corpse	297	Ditto.
Resistance or obstruction by a person to his lawful apprehension	224	Ditto
———to the lawful apprehension of another person or rescuing him from custody—but If charged with an offence punishable with ten years imprisonment, or any higher sentence	225	Ditto
	Ditto	Not bailable

		Faction of the Code.	Bailable or not Bailable.
Retaining stolen property		411 2	Not bailable.
Riding in a public way so as to endanger human life		279	Bailable
Rioting—all offences connected with	147 8	152-3	Bailable.
Robbery—all offences connected with	392 4,	397 8	Not bailable.
Slaves—Habitual dealing in		371	Ditto
Soldier—Wearing the dress of—with intent to be thought a—		140	Bailable
Stamp All offences connected with counterfeiting a Government —		200 9	Ditto
Stolen property—Receiving retaining dealing in assisting to conceal, &c.		411 14	Not bailable.
Suicide—Abetment of		305 6	Ditto
—Attempt to commit		309	Bailable
Theft of every description		379 82	Not bailable
Thug—Being one		311	Ditto.
Transportation—Unlawful return from		226	Ditto
Trespass—Criminal		447	Bailable.
—House		448	Ditto
—House to commit an offence punishable with death or transportation for life or to commit theft	449 50	451	Not bailable
—House—to commit an offence punishable with imprisonment		451	Bailable
—House—having made preparation for causing hurt assault &c.		452	Not bailable
—Lurking house—or house breaking in every case		453 60	Ditto.
Unlawful Assembly—Being a member of joining or continuing in		143 5	Bailable
—Hiring engaging or employing persons to take part in		150	as for the offence committed by the parties hired
Knowingly joining or continuing in an assembly of five or more after it has been commanded to disperse		151	Bailable
Unlawful Assembly—Harbouring persons hired for		157	Ditto.
—Being hired to take part in		158	Ditto.
Unlawful return from Transportation		226	Not bailable
Unlawful compulsory labour		374	Bailable
Unnatural offences		377	Not bailable
Vessel—Mischief to destroy or render unsafe a decked—or a—of 20 tons 28 maunds		437-8	Ditto
—Running a—ashore to commit theft		439	Ditto
Water Defiling the—of a public spring or reservoir		277	Bailable.
—Mischief by causing diminution of the supply of—for agricultural purposes		430	Ditto
Wrongfully restraining or confining any person	341-4	346 8	Ditto

## ALPHABETICAL LIST

OF

## NON BAILABLE OFFENCES

*To find whether an offence is bailable or not see if it be included in the following list If not it will be bailable*

	SECTION OF THE CODE
Abetment bailable or not, as the offence abetted is bailable or not	109 114, 116 & 117
— of offence punishable with death or transportation for life	115
— of Mutiny	131 2
— of an assault on a superior officer	133 4
Assault to commit theft	306
Attempts as the offence contemplated is bailable or not	* 511
Coin—All offences connected with counterfeiting	231 54
Concealing design to commit an offence punishable with death or transportation for life	119
Criminal Breach of Trust	401 9
Extortion by putting in fear of death or grievous hurt	386
— Attempt to commit by putting in such fear	387
— by threat of accusation of an offence punishable with death transportation for life or 10 years imprisonment	388
— attempt to commit by putting in fear of accusation in Section 388	389
False evidence giving or fabricating—with intent to cause a person to be convicted of a capital offence	191
— or of an offence punishable with transportation or imprisonment for more than seven years	195
— Using such evidence as that in the last two Sections	136
False statement, rumours &c circulating—to cause injury or offences against the public peace	500
Forgery of a record of a Court of Justice or of a Register of Births &c kept by a public servant	466
— of a valuable security will or authority to make or transfer any public security or to receive any money	467
— for the purpose of cheating	468
— making or counterfeiting a seal or plate or being possessed of such seal or plate with intent to commit—under 467 or otherwise than under 467	472 3
— having possession of a forged document with intent to use it as genuine	474
— counterfeiting a device or mark used for authenticating the documents in 467	475
Weapons or means	306
— causing—to extort property or a valuable security or to constrain to do an illegal act	327
— administering a stupefying drug with intent to cause	828
— causing grievous—&c. as 327	329

	SECTION OF THE CODE
Forgery—causing grievous—to compell confession or restoration of property	331
—causing grievous—to deter a public servant from his duty	333
House-trespass to commit a capital offence	449
—to commit an offence punishable with transportation for life	400
—to commit theft	451
—having made preparation for causing hurt assault &c	452
—lurking,—or house breaking in every case	453 to 460
Kidnapping—All offences connected with	363-9
Marriage causing a woman not lawfully married to believe that she is and to cohabit	493
—Bigamy with concealment of former marriage	495
—Fraudulently going through the ceremony of marriage knowing that marriage is not thereby effected	496
Miscarriage—Causing—without the woman's consent	313
—Death caused by act done to cause	314
—Act done to prevent child being born alive or to cause its death after birth	315
—Causing death of a quick unborn child	316
Mischief by fire or explosive substance to destroy a house &c	436
—to destroy a decked vessel or a vessel of 20 tons	437 & 438
—Running a vessel ashore with intent to commit theft	439
—committed after preparation made for causing death or hurt	440
Murder and culpable homicide	302 4 & 307
Possession of forged document with intent to use it as genuine	475
—of stolen goods	411 14
Prostitution—Selling or letting minor for	372
—Buying or obtaining minor for	373
Public Servant concealing design to commit an offence which it is his duty to prevent, bailable or not as the offence is bailable or not	119 & 120
—If the offence be punishable with death or transportation not bailable	119
—omitting to arrest person under sentence of death or transportation for life or imprisonment or penal servitude for 10 years or more	222
Rape	376
Receiving stolen goods	411 414
Resistance or obstruction to arrest of a person charged with a capital offence or punishable with transportation for life or imprisonment for ten years or more or if sentenced to any of these sentences	290
Rioting if the rioters commit a non bailable offence or employing rioters in the same case	150
Robbery or Dacoity in every case	392 to 402
Slave dealing—Habitual	371
State offences except Section 129 (negligently suffering escape of a State prisoner by a public servant)	121 130
Stolen Property—Receiving or possession of	411 414
Suicide—Abetment of	305 6



	SECTION OF THE CODE
Theft in every case	376 82
Thug—being one	311
Unlawful return from Transportation	226
Unnatural Offences	377
Violation of condition of remission of punishment	227

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## ART V—THE BENGAL MILITARY ORPHAN SOCIETY

**E**IGHTY years and over, is a good ripe age for anything Indian. The existence of an Institution for that period embracing the best part of four generations of average Indian Service whether Military or Civil renders it very difficult to picture to oneself the state of things before it existed. Our two Army Funds have become so essentially part and parcel of the old Indian Army, that it requires an effort to realise a time when they were not. Now the payment of our subscriptions has become such a matter of course the deduction coming as regularly as the pay that habit has grown into second nature the process too is so simple and so *painless*—one is spared the pain of parting with the money, as it never reaches one's hands—it is all done so quietly for us that we are often insensible how much we are really effecting and it is not perhaps until the father receives the order to go upon service or is prostrated on a sick bed that he begins to open his eyes to the benefits of the Funds and then he experiences to the full a sense of consolation which is beyond description, that whenever his career may be brought to a close provision has been made—he himself has all along been making it—to save from poverty and misery the wife and children he may leave behind. But it was not always so. Time was as old books of biography or adventure or reminiscence or fiction which saw the light in this country towards the close of the last century or in the early years of the present one—many of them now deservedly rare—tells us when the heart of Englishmen in India was being perpetually moved by some sad tale of improvidence and consequent poverty a fine dashing, thoughtless young officer cut down by sickness or in the field leaving behind a young wife—or perhaps one not a wife—and children penniless without a home or a hope. One only course then lay open a subscription list was sent round the station or perhaps the Army and a sum of money collected, to send the family to England or to protect them from immediate want and misery. This was the ordinary course resorted to with varied results, but never in vain for already was the Indian army earning a name for open handed liberality. Still the course, though common was often very repugnant to the feelings of the mourners.

Moreover the tax thus levied was often a very unfair one. There were some officers, then as now, who always gave, and gave liberally but, then as now, there were others who gave nothing or at best a trifle and that grudgingly. To find a remedy for this state of things and to equalise the burden, was a work to which many men had turned their thoughts but nothing practical was effected until the beginning of the 1782 when a proposition was submitted to the Army of the simplest character and on the most acceptable, as well as the soundest basis, being really a Mutual Assurance Association out of which grew the BENGAL MILITARY ORPHAN SOCIETY.

In vain have we endeavoured in the records of the Society, and elsewhere, anywhere to find a clue to the room, the house if it still exists in which this noble scheme was first propounded.\* It would however add but little to the deep interest which every officer of the East Indian Company's Service must feel in the rise and growth of an institution which, we believe we may truly pronounce to be without its rival in the armies of the world—an institution which has been so justly the pride the joy and the comfort of every parent who has served under the Old Company. But failing the exact locality we can give to the world the names of the men, our own elder brethren in the Service, from whom the proposal of the Orphan Fund originated.

They were —

Lieut Col Patrick Duff of the Artillery  
Major William Duncan, Artillery  
Major William Bruce, Infantry  
Capt Robert Bailie Do  
Capt William Scott Do  
and Capt Mark Wood Engineers

Of the position and character of those honoured 'fathers of our Fund, we regret that we can give little or no account. 'Dodswell and Mills Army List' only gives the dates of their appointments and retirements and from two casual allusions in the *Calcutta Gazette* we learn only that Col P Duff commanded the Artillery at Dum Dum and that Capt Scott was in the end of 1783 Secretary to the Commander in Chief †

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\* All we can learn is that the first meetings of the Management when formed, were held in the house of Philip Delisle Esq. wherever that may have been.

† In the *Gazette* of March 10th 1785 Colonel P Duff is mentioned as having been thanked in a General Order for the excellent condition of the Artillery under his command at Dum Dum when inspected on March 4th

But to their number must be added the name of one who deserves more than a passing allusion that of Capt William Kirkpatrick to whom pre eminently the orphans of the Bengal Army are indebted for the existence of this Society

With the characteristic modesty of real worth the first Secretary of the Military Orphan Society never suffers a word to appear in the earlier Minutes to indicate that the design of the Fund originated with him, that he drew up the appeal to the Army, and that all the labour of organising the Society lay on him. It only comes out incidentally, and even then reluctantly that such was the case that current tradition has not erred in assigning to him the credit of being the founder and the framer of the Society. When in the end of 1783 he was compelled by broken health to return to England we find repeated allusions in the Minutes to the services he had rendered. In a farewell letter to him, the Managers gratefully acknowledge his activity and judgment in establishing the Institution and in a letter to the Court of Directors soliciting their recognition and support of the infant Society they beg to refer the Honble Court to Captain Kirkpatrick as the person most qualified to give them information on the subject as having really originated the Society.

The Editor of the *Calcutta Gazette* in speaking of the Society in the issue of May 19th 1785 says — Let me not here forget to pay the tribute of praise so justly due to ‘ Captain Kirkpatrick who with a heart ever intent on “ doing good drew up the original design and laboured ‘ with unremitting zeal till he saw the work raised upon a ‘ permanent basis

And what else, it will probably be asked can be told us of this worthy? Perhaps some may superciliously remark that he was probably after all only a mediocre man—a man of one idea—that this Society allow it to be a work worthy of any man was the one work of his life. A word regarding men of one idea. It is no little credit to the man of thus limited grasp of mind if he work out consistently and perseveringly and successfully that one idea for the benefit of his fellow-men. But such was not the case with Kirkpatrick. He

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And in the *Calcutta Gazette* of the 4th of the following August Colonel P Duff and Captain W Scott are mentioned as taking a leading part in the politics as well as the charities of the day for their names appear among the peaceful citizens of Calcutta who formed a committee to take steps for resisting an obnoxious Act (24 George III cap 25) which required that the servants of the Company on their return to Great Britain should deliver on oath an inventory of their whole property under penalties of excessive severity and also sanctioned the forcible deportation to England of British subjects charged with crime committed in this country

was not merely an active philanthropist. He was undoubtedly a distinguished linguist in his day. He was a Persian scholar for we find him holding the post of Persian Secretary to the Commander in Chief. He was a Hindostani scholar for he published in 1785 what was probably the first Grammar and Vocabulary of Hindostani, which came from the pen of an Englishman\*. And we find him, 30 years after, a Colonel, in the retirement of private life in the peaceful little city of Exeter, appointed by the Court of Directors to translate and publish the "Select Letters of Tippoo Sultan" being the treasonable correspondence of Tippoo found after the capture of Seringapatam†.

Such are the all too meagre incidents we have been able to collect, and weave together, regarding one whose memory so many an orphan and so many a parent, of the old Company's Army has had cause to bless. To those who may be curious to know the form and bearing of this friend of the Orphan, it may be interesting to know that a portrait of him has found a fitting place in Kidderpore House.

Early in 1782, these half dozen officers of various ranks and arms in the Service, put forth to the Army a plan for preventing, if possible, those appeals to individual charity already alluded to, which the evil influences of the climate aggravated by the still more evil and pernicious habits of society which prevailed three quarters of a century ago, rendered so frequently necessary.

The leading features of the plan then proposed to the Army, will be seen in the following abstract of the Rules embodying the principles on which the Fund was to be based—the 1st, 2nd, and 3rd being the really fundamental rules—that the Officers consented to have specified sums deducted from their pay, and that the Government recognised the plan to the extent of allowing the Pay Masters to make the deductions on account of the Fund.

The 1st Rule provided that each Subaltern and Assistant Surgeon should contribute sicca Rs 3 each Captain and Surgeon, 8 Rs 6 and each Major, 8 Rs 9 (Shortly after Chaplains were included, as Majors, Commissaries, as Captains, Deputy Commissaries, as Subalterns, and Conductors at half Subalterns' rates.)

The 2nd That to prevent difficulties and expense in the collection, as well as to secure the amount against all accidents,

\* *Calcutta Gazette Supplement* August 25th 1785

† A copy of this rare work is in the Calcutta Library at Metcalfe Hall.

the officers do consent to the deduction of the specified contributions from monthly pay

The 3<sup>rd</sup>—That the several Pay Masters be empowered to make the said deductions monthly, and, through the Pay-Master General, account for them quarterly to the Society in Calcutta.

The 4<sup>th</sup>—That the Society be under a Governor, Deputy Governor, and twelve Managers 6 of them residents in Calcutta, and 6 out of the officers on duty at the Presidency

The 6<sup>th</sup>—That each of the Brigades\* nominates two of the latter as its representatives

The 9<sup>th</sup>—That a Standing Committee be formed at the Head Quarters of each Brigade to transact the local business of the Society

The 15<sup>th</sup>—That all Orphans of deceased officers then in India be admitted as soon as the state of the Fund shall admit

The 16<sup>th</sup>—That the benefits of the Fund be extended to all qualified Orphans that have been sent to England

The 19<sup>th</sup>—That all Orphans shall be collected together at the Presidency, in one or more houses as shall be found necessary

The 21<sup>st</sup>—That no time be lost in making arrangements for the removal to England of all Orphans legitimate and illegitimate and engagements be made with proper persons to contract for receiving, lodging, boarding clothing, and educating them till a certain age

The 22<sup>nd</sup>—That female Orphans be not kept in India after four, the male Orphans after five years of age

The 23<sup>rd</sup>—That the legitimate Orphans be made over to their relations or trustees who shall pledge themselves to administer the allowance with fidelity

(The 24<sup>th</sup> and 25<sup>th</sup> Rules are so illustrative of the ideas and idioms of that day that we give them *verbatim*)

The 24<sup>th</sup>—“ That on the male Orphans sent to England attaining the age of fourteen the Management or their Agents at home shall determine on their settlement in the world, selecting an occupation according to the circumstance or disposition or genius of each Such as may discover a turn for any particular occupation or trade shall be bound apprentice to the business of their choice at the expense of the Fund and after having performed their indentures, shall receive from the Society such assistance to enable them

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\* The Brigades appear to have then been those of the Presidency Dinapore and Cawnpore

"to set up for themselves as the Management, or their Agents  
 " (whom they are carefully to choose), shall judge necessary to  
 " bestow and the funds of the Society may afford Such as  
 " shall be considered fit for Military Service of the Company,  
 " shall be recommended to the Hon'ble the Court of Directors  
 " for the appointment of Cadets on obtaining of which they  
 " shall be fitted out for India in a suitable manner at the  
 " charge of the Fund

The 25<sup>th</sup>—That female Orphans on attaining the age of  
 " twelve, be apprenticed to creditable milliners mantua-makers  
 " stays makers or otherwise as the Management or their Agents  
 " shall determine and that after serving their time, they shall  
 " obtain from the Society the necessary help towards enabling  
 " them to set up in business That should they at the  
 " period of their engaging in business be disposed to enter  
 " into the matrimonial state they be further entitled to  
 " receive such marriage portion or dowry as the Management  
 " or their Agents in England (whose approbation of the  
 " connection shall be previously yielded) shall think proper to  
 " grant and that no girl after such period shall have any  
 " claim on the Institution for marriage portion or dowry  
 " but be considered as finally discharged from the foundation

" And 27<sup>th</sup> —That the Management be empowered to frame  
 " such bye laws and regulations as they shall from time to  
 " time judge expedient the spirit of the proposed Institution,  
 " and not the letter of the preceding articles guiding their  
 " determinations in every case that may come under their  
 " consideration "

Such was the plan submitted to the Army and unanimously adopted by the Officers with the exception of *one or two* dissentients In the middle of November 1782, the small band of the friends of the orphan again met, and resolved to lay the rules thus accepted by the Army, before the Governor General (Warren Hastings), and Council, through the Army's natural patron and friend the Commander in Chief, (Sir Eyre Coote)

The letter written to Sir Eyre Coote (which bears date November 18<sup>th</sup> 1782) addresses itself rather to objections which had been suggested to certain matters of detail, leaving the main principles of the scheme to speak for themselves The real weight of some of these objections may be estimated by taking one or two examples One objection was that thirteen gentlemen would with great difficulty be found to act on the Management, if they were to be subject to the interference and attempted control, which, it was assumed that

District Committees would exercise To this it was really thought necessary to reply that the attempt to exercise undue influence on the part of the Brigade Committees was after all only an *assumption* and that if thirteen gentlemen were now found ready to undertake the office there was no reason to doubt that others would be found to fill their places when vacated Another objection was that great difficulty would arise in finding persons in England to take charge of the orphans This was met by a similar reply that there was no ground for anticipating this difficulty and that if any difficulty did arise England was a large place and presented more likelihood than India did of finding or making such homes for the orphans

But there was one objection and it was really a grave one, to be met—the sending to England the illegitimate as well as the legitimate orphans and this objection rested chiefly on physical and moral grounds In defence it was urged that there was no reason for assuming that an English climate would be injurious to the children of Indian mothers or that they would inherit such vicious dispositions as to make it very objectionable to send them to old England as though no education even in England would eradicate or tend to subdue these vicious tendencies it was urged, too that the West Indies and North America had already produced and sent to England specimens of a mixed race and that they had brought no such disgrace on their parentage But above all it was urged that without this concession the Fund would never have been established—that there were promptings of nature and duties of parentage even towards such children and that the orphan of an officer and a gentleman should be ‘entitled by education and capacity to move in a sphere somewhat superior to that of a Portuguese or a Bengal writer

Such was the general tenor of the letter addressed to the Commander in Chief and either so powerful was the line of argument pursued in it or so cordial the advocacy of Sir Eyre that on the 13th of the following March—a promptitude which may well astonish the Managers of the Fund in 1866—a Resolution was passed by the Governor General and Council, fully adopting the proposed measure

So different were the first principles of this Fund from those of the one established twenty years later by the Civil Service that, a slight digression will not be out of place in drawing the comparison between them There the providing for the *illegitimate* children became the great bone of contention



and so bitterly was the principle contested that it at first endangered the formation of the Civil Fund and when, after being kept for some time in suspense, it was settled, it was only by excluding illegitimate children not only from equal rights, but *from any rights at all*. In contrasting the action of the two Services on this important point, it should be borne in mind that in the twenty years, which intervened between the formation of the two Funds, a great change in the tone of Society had taken place, and a marked improvement in the character of domestic life of Englishmen Civilian and Military alike, was already becoming preceptible. It would be most unjust to the Officers of the year 1782 to infer that they only were lax in morals and habits of life, or more so than their Civilian brethren. Only glimpse at the struggle which went on among the Civilians in 1804.\* The Service divided itself into two great parties on this question on one side were arranged *all the old Civilians* on the other the young ones, powerfully backed, as they naturally would be by the then Governor General, Lord Wellesley, fresh from England and the younger ones carried the day, and illegitimate children are ignored by the Civil Fund.

Without entering into the abstract question in a religious and moral point of view, it may be permitted one who is still occasionally called on to decide on the admissibility of such children, and is daily brought into contact with the body of them in their happy home at Kidderpore House, to feel thankful that the Military Orphan Fund was called into existence when it was instead of twenty years later. Had its formation been effected in 1804, instead of in 1782, who can say that there would not have lived hundreds of orphans of English Officers, in scenes of privation and perhaps of vice, suffering the pains and penalties of their fathers' sins, for whom the Fund, as modified—for the Government overruled, as will be seen hereafter the wish of the Army that *they* would be sent to England—has provided in India schools and an asylum.

But to return to the action of Government on Sir Eyre Coote's representation. A very few months after that letter

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\* One of the best accounts of this struggle may be found in Claudius Buchanan's life by Pearson Vol I p 300. A few years ago (says Dr Buchanan writing to a friend) any man who should have ventured to resist such a measure on the ground of religious or moral propriety "would have become the jest of the whole service and goes on with what justice I leave others to say to ascribe this great improvement to the recently formed College of Fort William of which he was the first Vice Provost."

with the scheme of the Fund was sent in, the following order was passed —

‘ Extract Minutes of Council 13th March, 1783

“ Ordered, that the following stoppages be made for the support of this Fund from the pay of the officers of this Establishment who shall consent thereto *viz* —

From each Major 9 sicca rupees per month from each Captain and Surgeon 6 sicca rupees, and from each Subaltern and Assistant Surgeon, 3 sicca rupees

‘ That the Pay Master General do give instructions accordingly to the several Pay Masters with directions to account regularly to him for their receipt, and that he do account quarterly with the managers of the Fund for the whole ’

Even before this favourable decision of Government was made known, a letter had been addressed to Sir Eyre Coote (13th February 1783) soliciting him as “ the most able and most natural protector of that useful and humane Institution ‘ to accept the office of Patron and Governor to which he readily acceded in a letter dated March 18th \*

This must have been one of the last public acts of the brave but irritable old chief. He had returned from the Carnatic in September 1782 indignant at the Madras Government for refusing him the supreme command in that Presidency as well as in Bengal. Armed with power from the Calcutta authorities he returned to the Army ‘ early in the spring ’ and reached Madras on the 24th April to die three days after, of apoplexy brought on, it was thought by excitement caused by his triumph over the opposition of the Madras Government, increased by the anxiety of being chased for some days by a French Privateer in the Bay †

We now come to a most interesting period in the infancy of the Institution. We see it beginning to assume form—it has the countenance of the Government—a meeting is held—the first, of which any record has been preserved—what had hitherto been a self constituted Provisional Committee become a Board of Managers the foremost and most active still takes the labour on by consenting to become the Honorary Secretary—and work begins in earnest for the men who formed that Board had their hearts in the success of the scheme

One noticeable feature of this Board of Managers has now entirely passed away. It contained a mixture of non military

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\* The Commander in Chief has almost ever since as the head of the Army been elected the Governor of the Military Orphan Society

† Mill's History of India, B. V ch 5

members with those of the Army This arose from the following circumstances —The Fund as originally proposed was only to include the lower grades of Officers, from the Majors downwards it being left to the higher grades to make *voluntary donations* as it was thought they would be in so few instances likely to have children young enough to be entitled to benefits It was proposed moreover, to open a general subscription in order to place the Managers in a position to receive applicants at once but the orphans found friends on all sides so many and so open handed that a general appeal was rendered quite unnecessary Among the foremost and most liberal of these friends were civilians and merchants resident in Calcutta and their co-operation was recognized by the military managers passing a Resolution—the first Resolution of this first meeting of which any record exists—the meeting at which they themselves first formally took their own seats (March 29th 1783)—that the *Deputy Governor and six Managers should be elected out of the non military subscribers* The names of these seven are given but unhappily little more than their names for nothing beyond an occasional conjecture can fit any of them in his place in the Calcutta of that day They were—

- ( ) Claud Alexander Esq elected Deputy Governor  
William Paxton Esq
- ( ) James Miller Esq  
Andrew Williams Esq
- ( ) Edward Hay Esq  
William Jackson Esq
- ( ) Philip Delisle Esq

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Claud Alexander was most probably the enterprising founder of the once well known house of Alexander and Co

In the Park Street Burial Ground there is according to the *Bengal Obituary* the tomb of a Mr James Miller who died in July 1799 54 years of age who is described as having been Mint Master

Mr E Hay appears to have been the Secretary to Government and to have also had considerable talents as an Accountant for in the *Calcutta Gazette* in 1785 he is mentioned as having been appointed Joint Secretary of the Bank of Bengal His official connexion with Government doubtless made his presence at the Board of Managers of great importance to which also his knowledge of accounts gave additional value For at one of the early meetings in 1783 Mr Hay was specially asked to assist the Secretary in forming a plan for conducting the business of the Society

The *Bengal Obituary* tells us that in the South Park Street Burial Ground there is the tomb of one Philip Delisle who died in 1788 aged 46 years but no allusion is made to his occupation This name occurs so constantly in the Notifications of estates of deceased persons in the *Calcutta*

Such were the component parts of the original Board of Managers. Their first work was to draw up a letter to the Court of Directors bespeaking *their* countenance and support for the proposed Fund entreating them to make it compulsory on all officers thenceforth entering the Service to subscribe asking the Court to take charge of the Orphans who might be in or should be sent to England and to give Cadetships to all Orphans who should prove duly qualified. They then proceeded to elect twenty one orphans for whom application had been already made and proposed certain points to be submitted to Sir Elijah Impey for his legal opinion to guide them in dealing with exceptional or complicated cases which might arise \*

One important Resolution arising out of their readiness to take over in trust any money belonging to the estates of orphans provided no legal objection to the transfer were raised by executors or trustees of such property shall be given in full as explaining the system always adopted by the Society in dealing with such trust money

*Gazette* in the years 1780 6 7 that the inference is either that Mr. Dohle was a man of high reputation for integrity and vast good nature and that he became a sort of Universal Executor or else that he held an office corresponding to that of the present Administrator General

\* The following are the cases submitted to Sir Elijah Impey for his opinion which in each case is appended

1st— Private subscriptions having been frequently set on foot and sums raised for the benefit of orphan children individually can the persons who have *voluntarily* and without any kind of written or verbal appointment taken charge of the amount of such subscriptions and of the infant or infants for whose use they were raised upon such “infant or infants being admitted upon the Orphans Establishment, resign his or their trust to the Management and pay over what shall remain of such subscription unappropriated to the Society? And must not the principle at least of such unappropriated money of paid over remain in the hands of the Society as a deposit in trust for such infant or infants on whose account it was paid in till such infant or infants arrive at the age prescribed by the Rules of the Society for being put out to trade or business the Society in the meantime appropriating the “the interest towards defraying the expenses of the child’s maintenance “and education?”

Sir Elijah Impey’s opinion

If the persons here described choose to deposit the money in the hands of the Society they may do it but the Society can only be considered as the agent of such persons who cannot by any means delegate their responsibility whether the Society will choose to accept of the money on such terms subject to the inspection and control of such person into whose hand the subscription may have been first paid is a matter for their own consideration

2nd.— If after such unappropriated money shall be paid to the Society and the infant or infants for whom it was raised shall have

Resolved that it be understood and expressed that this Management shall appropriate to the purposes of the Institution *only the interest* of the sums so thrown into the Fund, or made over in trust to the Society and that the principal, or original sums, so deposited shall always be considered as the right of the orphans on whose part such deposits may be made, to be paid to them either upon their coming of age or whenever the period shall arrive for settling them in business

This simply honest rule may contrast favourably with the system adopted by certain so called charitable Institutions in Europe, where too often the orphan's little property is appropriated, in the name of religion too, and absorbed into the wealth of the Institution

It may be well to anticipate the regular order of events and state here the result of this application to the Court of Directors, who in a Despatch dated 14th March 1786 explicitly laid down the extent to which they would countenance and help the Fund

The Court approved generally of the objects of the proposed Institution and readily authorised the agency of

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been admitted on the foundation such infant or infants shall happen to die before the age at which it or they would become entitled to receive such money can the Society add it to its capital stock or who is to be considered legally entitled it?"

Opinion

If the child here mentioned be legitimate the money belongs to its heirs-at-law if illegitimate the Crown alone has the legal claim to it In the latter case it must of course remain in the possession of the trustee till the Crown asserts its claim

3rd— Can such as are by Will or other Deed appointed executors guardians or trustees and thereby become legally vested with the charge of orphan children of any due or sums of money bequeathed to them by their parents in case they should find their wards by reason of the smallness of the sum bequeathed them or the insolvency of the parent's estate entitled to be admitted on the foundation legally resign the charge of the person and fortune of their ward to this Society?

Opinion

— Executors guardians and trustees cannot vary the trusts with which they are charged or absolve themselves from the responsibility attending them but they may (as in the first answer) constitute the Society their agents

4th "As it is presumed the relations or friends in England, of people dying in this country whose orphans may have been admitted on the foundation may wish to take them from it and take charge of them themselves can such relations or friends in the life time of the child oblige the Society to give up any sum or sums of money they may have received in trust for the child?"

Sir Elijah answers— Certainly not.

the Pay Masters but expressed its opinion that the sending children to England should be confined to *legitimate* children when both parents are Europeans. They consented to remit money to England on account of the Fund on the same terms as they did for the Officers in their Navy. But the Court declined to take any general control and direction of the orphans in England or to pledge themselves to give Cadet ship, as suggested. They also declined to make subscription compulsory but in 1798 (G O 21st December) on being again appealed to, they included subscription to the Funds as thenceforth one of the terms of the covenant and required all officers who had not subscribed hitherto to pay up arrears.

Applications for admission now quickly poured in and with them came the necessity of making some provision for receiving the orphans. On April 2nd 1783, an arrangement was made with a Mr Cowen who kept a boys' school to board and educate the orphan boys, who were old enough to go to school, at 40 sicca rupees a month exclusive of clothing.

For the girls and infants it was decided that some roomy house should be taken, and a respectable person put in charge to superintend the establishment. The only house which then offered, having sufficient accommodation for the purpose was one belonging to Mr Croftes situated in Radha Bazaar\*. Here they placed a Mr and Mrs Jervis (or Jervais), allowing for educating and dieting them, (the clothing to be a separate account) at the rate of 35 rupees a child until the number reached 30, and 30 rupees a head when they should exceed that number.

In June of this year the Managers who had hitherto met in Mr Delisle's house, resolved to hold their weekly meetings at Mr Jervis house which may therefore be regarded as the first local habitation of the Orphan Society.

The work of the Society increasing an Assistant Secretary (a Mr Henry Ackland) was appointed, on Rs 200 a month.

There must be some resemblance between the laws which govern matter and those which influence mind. A rolling stone sets others rolling. *Exempla trahunt*. A few benevolent minds once set rolling others are carried along with them. A very few months after all this had been going on at Calcutta there came a letter from the Cawnpore Station Committee suggesting that as the orphans of Officers were now being provided for, it was time some thought was bestowed on the children

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\* The writer has been unsuccessful in his attempts to identify this house. Mr Croftes appears to have been the Secretary in the Revenue Department.

of soldiers it was proposed that the Orphan Society should open a school for them at Cawnpore, which the Rev J Mackinnon then Chaplain of that Station, offered to superintend. But the influence of this movement had been extending itself in other quarters also. It was intimated that Government were about to make a proposal to the Managers to graft on to the Orphan Society a Lower School for the orphans of soldiers. The Cawnpore proposition was consequently ordered to stand over.

The proposal from Government came in June 1788 in a communication from Major General Stibberts then officiating as Commander in Chief. The Government asked the Managers if they would undertake the charge of the orphans of Non-commissioned and Private Europeans on their Establishment a suitable allowance being made to the Society for each child. The Managers expressed their readiness to undertake the charge at the rate of Rs 5 a month for each child. The Government replied that this was an excessive demand for each child being more than is paid to many artificers in the service. The Governor General and Council deemed Rs 3 sufficient and were willing to pay at that rate\*. The Managers acceded to the reduced rate but in terms so manly and honourable that they shall speak for themselves. The letter is addressed to Major General Stibberts.

After acknowledging the letter under reply, they say as follows —

"The wishes of the officers of the Army of whose sentiments on this subject we are fully apprised, joined to a consideration of the true spirit of the Institution committed to our management dispose us Sir to the most ready and cheerful acquiescence in the proposal of the Hon'ble Governor General and Council and would have operated permit us to assure you to the same effect although the offer of the Board had been even more inadequate to its object than it is

' But it is proper we should observe that however competent a monthly allowance of *three rupees* may be to the maintenance of a *Coolie* or *Bildar*, yet it cannot thence be reasonably inferred that the same allowance is sufficient for the purposes of dieting, clothing, and educating

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\* It will scarcely be credited that not far years before every legitimate child of a private soldier drew the full pay and batta of a private soldier and that without any deductions. This only ceased in July 1779 and now Rs 5 was thought too much !

“the orphans in question to say nothing of the expense which it would seem must unavoidably attend their future establishment especially that of the females We are aware indeed, that the education requisite to be given to the boys cannot be very expensive yet as it will at least be necessary to instruct them in reading and writing so that they may be equal to the duties of a sergeant even this article will be too chargeable to admit of fair comparison between them and artificers

‘We might further observe that as the children of Europeans, all of whom have died and many bled in the service of the Company, they appear somewhat better entitled to the attention of Government than any class of native artificers can be since although many years may elapse before they can be so useful, yet it is not to be doubted but that with suitable care they may be enabled to render essential services here after in the Military and Marine departments not to mention other branches of the public service for which they may become no less qualified

“But we purposely decline the discussion of these points nor will we further press either you Sir or the Hon ble Board on the subject of the allowance because we are hopeful that the funds of the Society\* will always be equal to the defrayment of such additional charges on account of the orphans of Non-commissioned Officers and Privates, as may arise from the insufficiency of that allowance

The Governor General and Council would not take the hint economical they would be and passed a Resolution (15th May, 1783), that Rs 3 a head per month was enough to be paid for the education clothing and feeding of the children of soldiers, and out of this arose the LOWER ORPHAN SCHOOL

No sooner had the Managers undertaken the additional responsibility of superintending the education of the soldiers orphans than they set to work to establish a home for their reception As this was wholly beside their own direct and legitimate work as Managers of the Orphan Society and as it was palpably the duty of the Government to incur all expense in providing a site and in erecting suitable buildings for the purpose the Managers at once applied to Government They asked—

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\* This part of the arrangement was strongly objected to by the Presidency Station Committee as a misappropriation of funds subscribed by officers for the benefit of their orphans only



1st—For a grant of land in the vicinity of Calcutta

2nd—For a sum of 40,000 rupees, the estimated cost of the requisite buildings

And to these a 3rd request was added, that, to meet the existing difficulties of educating children in the up-country stations and to rescue them from the contaminating influence of barrack life the children of soldiers *still living* should be admitted to the benefit of the school about to be formed for the orphans

To each of these requests a favourable answer was received early in 1784 the choice of four sites was offered an advance of money promised, and the children of living soldiers declared to be admissible

The 4 vacant pieces of ground suggested were—

1st— A space lying to the southward of the new Jail, and between it and the General Hospital '

2nd— A large piece of ground running along the north bank of Govindpore Nullah from the bridge at Mr Levin's garden to the Belvidere Bridge "

3rd — ' A piece of ground also on the north side of Govindpore Nullah extending from Belvidere Bridge to Salmon's (sic) Bridge "

And 4th—" A piece of ground immediately adjoining and above Ducansore "

Here let us diverge for a short antiquarian excursion To some at least of our readers we feel sure that the attempt to identify these localities will not be without interest

There will be little difficulty in fixing on the first site At present this space is cut up by converging roads but at that time, as Upjohn's Map of 1796 shows the main road ran from the Chowringhee corner close up to the walls of the General Hospital leaving a goodly space vacant to the South of the Jail

Regarding the second and third sites it is only necessary to premise that *Govindpore Nullah* was the old name of what is now called Tolly's Nullah The origin of this earlier name may be thus traced At the foot of Hastings Bridge there stood for many years a small shrine to Govindjee \* which it would seem gave the original title of *Govindpore* † to the locality now known as Coolie Bazaar; and so

\* This shrine when its removal was necessary to make way for the approach to Hastings Bridge was transferred to a vacant space close to the present Commissariat Barracks in Coolie Bazaar where it still stands

† In 1758 a *sunnud* was issued granting rent free to the English Company of Merchants the Mowzah of Govindpore the richest in the Purgunnah of Calcutta, including the site of the present Fort. In the oldest map of Calcutta now extant that of 1763 it is misspelt *Governnapore*

the nullah running by came to be called *Govindpore Nullah*. In its present name it immortalises the engineering enterprise of Major W Tolly, who widened and straightened it in 1777. Under its new name it appears so early as 1794 in "the Proclamation fixing the limits of Calcutta, so that it took but a few years for the English Engineer Officer to supersede the original Hindoo Thakoor.

It is clear then that the second site was the space to the east of Belvidere bridge now occupied by the Telegraph store-yard though of Levin's garden and the bridge adjoining not a vestige or a tradition remains while the third site was the long space still vacant stretching along the nullah bank between Belvidere and Kidderpore bridges. The name Salmon's as it appears in Baboo orthography is evidently a mistake, for in Upjohn's old map it is called 'Sirman's' and in the Proclamation, already referred to 'Surman's or Kidderpore bridge.

The fourth locality is easily identified it has but little changed its name or perhaps more correctly it still retains its original name, of which the above was an English corruption. On the north of Calcutta lying between the Cossipore Foundry and the country retreats of Pittaghur, is a district called *Deccanshur* and here clearly lay the proffered garden.

One condition was added in case this site was chosen that compensation to the extent of some Rs 3 000 should be given to the boatmen who had hutted themselves and formed a settlement on the ground adjacent to this garden.

Of these four sites the Managers deemed the latter the most eligible, probably from there being a house on the ground ready for immediate use, and at once advertised for tenders for the adaptation of the existing buildings and the erection of such others as were necessary. An application was made to Government for an advance of Rs 20 000 towards these alterations but it was met by an offer of the empty warehouses at the Company's Factory at Pulta near Ishapore as a temporary arrangement for the financial difficulties of Government rendered it impossible for them then to spare that sum from the Treasury. And who that recalls the state of Bengal at that time (1784)—the war in the Carnatic the attitude of the Mahrattas, the Army six months in arrears of pay the stipulated payments from the several native states irregularly made—who can think of this accumulation of demands on an already exhausted Treasury and wonder at Government asking for time, and suggesting as an expedient the Pulta Factory? However

the Managers having a considerable sum in hand\* and being unwilling to lose this chance of Ducansore, which was on many accounts preferable to Pulta, began at their own expense to set the place in order the more urgent alterations were covered by about Rs 3 500 and by the end of the year the garden house was ready to receive such soldiers' orphans as had already arrived in Calcutta and they moved in 96 strong—54 girls and 42 boys under charge of two Serjeants and their wives Government also, at the recommendation of General Stibbert allowed an Assistant Surgeon on 200 rupees a month (including the supply of medicines) to be attached to the Establishment

It has been noticed that Government refused to give more than Rs 3 a month for each of the soldiers' orphans although the Managers asked for Rs 5 and it may be mentioned that of the many tenders sent in to *feed* the children not including teaching and clothing not one was under Rs 5 a head which shows how moderate was the estimate sent in by the Managers However for a short time the Managers were in great concern that even the Rs 3 would cease as soon as each child reached the age of 12 years For such appeared to be the intention of Government Against this they earnestly protested they pointed out to Government that to stop the allowance at 12 was virtually to throw away all that had been spent on these children, as they would then be only beginning to know the value of education, and would still be far too young to earn their own bread General Stibbert warmly supported this remonstrance, and the point was carried the allowance was in every case to be continued till 15 years of age and 'in particular cases, such as mental or bodily infirmities' the payment was to be drawn for such period as the Managers should deem necessary The Court of Directors, however, in a Despatch bearing date 24th February, 1786, declared Rs 5 to be only a fair rate, and authorised its payment, with arrears from the first formation of the Lower School

Ducansore, however, was not destined to be long the home of the soldiers' orphans from various causes the working of the establishment proved very unsatisfactory the distance from Calcutta rendered efficient supervision impossible and many local disadvantages presented themselves So that when about this time a large house at Howrah, known as "Levett's house

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\* In August 1784 the amounts showed from subscriptions alone, independent of deposits and patrimony a balance of 47,500 rupees.

and garden" was most opportunely offered for sale the Managers resolved to purchase it though the price was Rs 65 000 Towards this sum they applied to Government to give the Rs 40 000 which had been promised towards the erection of suitable buildings for the soldiers orphans and the Managers were prepared to invest Rs 25 000 on account of the Orphan Society with the view of bringing together the two schools under the same roof This arrangement was carried out at once, though many months elapsed before the sanction came from England to pay the Rs 40 000 which the Society advanced The children of the Lower School were brought down by boat from Ducansore and occupied the whole ground floor while the officers children henceforth distinguished as the *Upper School* also came,—the boys from Mr Cowen's and the girls and infants from the Radha Bazaar House,—and were located in the upper story There by the end of 1785 all were housed the Upper School mustering 96, and the Lower School having already risen to 160 boys and girls

But we have been anticipating as regards the condition of the Upper School in order to reach the common standing point which the Howrah establishment offered We must now retrace our steps and take up the thread of the general history of the Society where we dropped it

The Orphan Society appears to have furnished no exception to the general character of Calcutta life as shifting as the sands of the river Hooghly that flows by Before the end of the year 1783, no less than three of the six elected officers had disappeared from the list of Managers Major Duncan and Captain Bailhe had left on the removal of their regiments to Berhampore and Captain W Bruce had died while the Honorary Secretary Captain W Kirkpatrick the life of the whole, was driven by broken health to England This latter event however was turned to good account as it did securing for the infant Society a zealous representative at Leadenhall Street for Captain Kirkpatrick carried with him full authority to represent the Society and it is evident that in many ways his energetic advocacy proved of incalculable value He found ready support too from several retired old Indians and on his return to India in 1785 he left the interests of the Society in the hands of a retired Madras officer Major Alexander Mitchell In other quarters also he pleaded the good cause he obtained liberal aid in the form of large grants of books &c, from the Society for Promoting Christian Knowledge and indeed it was to him the Institution was indebted for its first Superintendent, the Rev David Brown—a name so much more generally connected with the early days of the Old

Mission Church, and associated with those of Claudius Buchanan, Henry Martin, and Thomason, that his original appointment, the one which brought him to India, that of Superintendent of the Military Orphan Society is often quite overlooked, yet such was his first sphere of duty \* on which he entered on June 18th, 1786† Of this more anon

It has been already noticed that it was not until the end of 1785, that any reply came from the Court of Directors to the Society's application, though it had been forwarded in 1782 And little was this delay to be wondered at it arose from no indifference to the well being of their servants, and of the orphans of their late servants in India Look for one moment at the condition of the political world in England during those three years The year 1782 had witnessed the death of Lord North's ministry then came the short-lived ministry of the Marquis of Rockingham, followed for a few months by Lord Sherburne Early in 1783 came Lord North again, with the Coalition Ministry to make way before the end of the year for the Boy Premier William Pitt And of each successive Ministry India and an India Bill seem to have been the *cruz* for the Indian Charter was now expiring, and the terms of its renewal was the *causa teterrima belli* Throughout this momentous and rancorous party struggle, the Court of Directors were of course in imminent peril their very existence, as a political body at least was in danger And besides their danger from a Parliamentary faction, the policy of the Governor General Warren Hastings furnished constantly a bone of contention between other parties On one side were the Ministry of the day whichever it was, grasping at the patronage of India ‡ on the other side were the Court of Proprietors of India Stock ever ready to vindicate the character of Warren Hastings and support his policy and thus the Directors attacked on this side and on that torn hither and thither were rendered well nigh powerless

Under such a state of things it can scarcely be wondered at if, with the pressure of business involving their political life and death, the Directors suffered the claims of the orphans, however warmly advocated to stand over

\* Among the recommendations which Mr Brown says were held out to him not by Kirkpatrick he it remembered were that the climate was considered healthy and provisions cheap *Life of the Revd D Brown* p 6

† *Life of Revd D Brown* p 25

‡ Even Pitt, who rose on Warren Hastings's success is not altogether clear in this matter See *Glen's Life of Warren Hastings* Vol III Chap 8

When the decision of the Court did come, it made up for any delay in the liberality with which the general principles of the Fund were adopted and the wisdom with which some of the details were modified. The most important modification has been already noticed—it was declared undesirable to send to England the illegitimate orphans who were to be educated in India while the plan of sending the legitimate orphans home for education was highly approved. The receipt of this decision of the Court called the Management at once into action. Having no school of their own in England for the reception of these orphans, and moreover deeming it much more desirable that the affection and interest of relatives should be enlisted on their behalf they resolved on a rate of English out ward allowances—£25 a year to all orphans under 6 years of age while between the ages of 6 and 14 to each boy £35 and to each girl £40 a year. Major A. Mitchell undertook to receive charge of all the orphans on arrival and to consign them to their friends and more over to see that the allowance granted was expended in their education. In 1787 a payment of £100 a year was made to him in consideration of the trouble and expense he might be called on to incur in the cause of the Society. Out of this grew the 'Home Agency.'

Consequent on the appointment of Major Mitchell as the Society's Agent in England a Committee was also formed there in the end of 1786 on which we recognise among others the names of some who had been active Members of the Management in India—Claud Alexander Esq. who had been Deputy Governor and General Stibbert, for some time Governor. And here it may not be out of place to mention that among the warrest advocates of the claims of the Society to whom it was mainly indebted for the favour it met with in the Council Chamber at Calcutta and to whose hearty co operation, while his name still carried so great weight at the India House it owed much of the support given to it there we welcome the name of Warren Hastings.

In working out their plans the Managers were continually finding it necessary to modify or alter some minor details of the system as originally sketched out, but the leading principles of the Society remained unchanged. One of the first alterations requires special notice. It was in the system of electing the Military Members of the Management. In the hope of creating a wider and more general interest in the working of the Society, it was resolved, on the recommendation of the Army, that instead of two Members being

chosen by each of the three Brigades, the following six stations should each appoint one representative Manager,—the Presidency and Barrackpore Futtighur, Cawnpore, Chunar, Dinapore, and Berhampore, this arrangement every way better and more acceptable was introduced in May, 1787

*Apropos* of Station Committees let us remark that it is amusing to see how soon they began to verify the fears which were put forth in the form of anticipated objections about their interference with the General Management. It occurred thus. The duties of Mr Ackland, the Secretary, had greatly increased, taking up his whole time and rendering it impossible for him to add to his income by other work in leisure hours. He had no leisure hours. So the Management had only done justice in increasing his salary by giving him an extra Rs 100, under the head of house rent. Then, money had been expended by the Fund at Ducansore \* and a large sum of Rs 25 000 invested in the house at Howrah. All these acts furnished grounds of complaint, and brought strong remonstrances from several of the Station Committees. They claimed that they at least if not the whole Army should be consulted in every such proposed item of expenditure. To this the Managers replied firmly that if they were not to be trusted they must withdraw. Their ready devotion of time and labour were ample guarantee of the deep interest they felt in the prosperity of the Society. Their local knowledge qualified them to judge on such points far better than distant Station Committees. and moreover the delay in obtaining the opinion of officers so widely dispersed, would render action impossible—a recent case was quoted. some question had arisen about the admission of an orphan. it had been circulated for the opinion of the Army, and eighteen months had elapsed, and yet some of the Station Committees had sent no answers, and the case had been pending all the time! If therefore the Managers were not to feel empowered to act in such special cases when much depended on promptness of action they must beg to resign their places at the Board. Any fundamental principle any alteration of a rule, they would of course submit to the Army, but they must have discretionary power in details. This brought the Station Committees to their senses. and the Army on appeal to them, by a large majority supported the Managers. The only good which it would seem the Station Committees gained by their attempt at interference, and which on the

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\* This was subsequently repaid by the Government.

first representation would have been granted was that each local Secretary received a small sum as office allowance, besides a small salary for a clerk and thus peace was restored, and a great principle established

Much has been said of late about cultivating and colonizing the Soonderbuns. It is often spoken of as a bold and a *new* idea. It is not so new as it may be supposed to be. We find it suggested eighty years ago as a field whereon to utilise the education of our orphan boys and as a form of dowry for our young ladies! The proposal then undoubtedly novel and in the form it then assumed *very original* shall be given in the proposer's own words. It emanated from Colonel Thomas Deane Pearse (who had been elected Deputy Governor on the retirement of Mr Claud Alexander) and bears date March 8th 1786

"The more I reflect on the future state of the orphans  
"under charge of the Society the more I am distressed on  
'their account. I cannot find employment for them in  
"India and the Directors have with good reason I think,  
"forbidden their being sent to England

There are very few trades in which the children can earn  
"a decent livelihood in this part of the world, and fewer  
people to whom they could be entrusted for instruction  
'The majority of tradesmen in India are so very low and  
'of such very bad morals\* that it seems little less than  
"certain ruin to the children to put them out apprentices  
'and the shipping trade is so very dead that it could not  
"take off half the boys

But when I consider what is to be done with the girls  
"I am still more bewildered. In England there are few  
'trades that employ girls, and in India two of each of those  
"trades would overstock the Settlement and consequently  
"the difficulties increase the more I endeavour to remove them  
'Agriculture alone does promise something and when  
'I cast my eyes on the Soonderbuns and uncultivated tracts,  
"I wish they were peopled as they were of old

'If the Company and Directors will agree to it, these  
"useless deserts may afford comforts and employment to all  
"the children when they arrive at man's estate and in pro  
"cess of time may be peopled by a race of our own

"I recommend, therefore, requesting the Directors to direct  
"that there be given to every boy the son of an Officer when

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\* Happily 80 years have made a great change for the better in this (if it were true then) as well as in other features of Indian life.



' he attains the age of 18 years one hundred acres of land, and to every son of a non commissioned officer or private, at the same age, fifty, to every girl the daughter of an officer, fifty acres on her day of marriage and to every girl the daughter of a non commissioned officer or private, twenty five

That the boys be permitted to marry at 18, and the girls at 15

That it be recommended to give a married couple the lands contiguous to each other

That the lands be free for the first 10 years, paying half quit rent the next 10 and the same as other rice lands afterwards "

The establishment on which these young agriculturists were to start was certainly of the simplest and most primitive character One bull and bullock to every five acres and ten cows and two ploughs to every hundred acres a bungalow of straw and bamboos containing two rooms and one small kitchen one iron pot and a set of earthen kitchen utensils one bed four chairs, a table and a decent equipment of table necessities also a suit of cloaths and six changes of under cloaths "

This proposal was generally approved of by the Managers but it found no favour in the Council Chamber and so it fell through

Hitherto the Orphan Society had received no pecuniary aid from the Government beyond the privilege of transmitting money to England on the somewhat advantageous terms which were granted to their Officers in the Indian Navy The sum of Rs 40 000 paid towards the purchase of Levett's house was the Government share for the accommodation of the orphans of the soldiers the Lower Orphan School being a Government Institution of which the Managers had only consented to take charge and superintendence All the Society's accumulations were vested in the Public Funds, as a mere ordinary commercial transaction But now an opportunity offered which the Government were solicited to take advantage of to give material support to the Society it was by making the grant which is technically known as the Rohilla Donation money

As probably the real history of this Donation is but little known a short account of it may not be unwelcome

In the earlier part of the 18th century, a tribe of Affghans, named Rohillas had come down wandering through the length of Hindostan then hardly held together in the enfeebled grasp of the already effete and expiring Moghul Dynasty They found little difficulty in appropriating any

region they might fancy, the Doab the fertile tract lying between the Ganges and the Jumna attracted them, and there they settled down and made for themselves a home giving to the tract itself the name by which it is to this day familiarly known, that of Rohilkund. But they had on their south-east a province which under the protection of English men and English treaties, was a barrier to their further aggressions, and to which they themselves were in return a cause of anxiety and alarm. In 1773 a band of these Rohilla Sirdars designed an attack on the district bordering on Oude. The kingdom of Oude—for though only a Nawab ship nominally holding under the king of Delhi it was virtually under English protection an independent kingdom—had for its chief the Vizier (as the Nawab of Oude was called) Serajah Dowlah who was regarded by the English as a useful ally. On his application for help against the Rohillas the Dinapore Brigade was ordered to hold itself in readiness to assist him in the defence of his own kingdom and in expelling the Rohillas the terms being that the Nawab should pay 40 lacs of rupees besides the expense of the Brigade (estimated at  $2\frac{1}{2}$  lacs of rupees per month) during their operations in his cause\*. The Allahabad portion of the Brigade were called into the field. The Rohillas were defeated and the Nabob paid over besides other sums  $10\frac{1}{2}$  lacs of rupees for their services. This money it had been resolved to divide among the troops engaged in the campaign the bulk of it had been so divided but about 50 000 remaining a Committee consisting of the Accountant General and two Managers of the Society was appointed in Calcutta to whom it was publicly notified that all unsatisfied claims should be sent in for examination. But after all such were paid there still remained some Rs 23,000 unclaimed which is described as the shares of those who had been 'removed from the service by leave of absence to Europe† "death resignation or otherwise.

It was suggested by Captain Kirkpatrick while in England and warmly supported by Warren Hastings that this sum should be made over to the Orphan Society and the interest of it applied to general purposes but some legal objections were raised one being that should any future claimant appear he might claim back interest on his share on the ground that the Society were receiving *interest* on the whole sum at length this

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\* Anber's India, chap VII Vol 1 p 400

† This is not altogether intelligible

and other difficulties were got over by the following arrangement made in 1786 —The amount itself remained in the hands of Government, but a sum not exceeding 8 per cent on it, *but not called interest*, was to be credited yearly to the Society. Thus under the head of Rohilla Donation money\* the Society receives every year Co Rs 1,762 12 4 † Such was the cautious arrangement under which alone Government then felt justified in giving material help to the Society.

And now, having followed the Management through the leading events and changes in the general administration of the Society it is time to see how all this time the orphans of the Upper School had been faring. It soon became evident that the original plan for boarding them out was not working well, month by month the reports of the Managers contained complaints. While the girls under Mrs Jervis were receiving a fair amount of attention and care the existing arrangements with Mr Cowen were by common consent far from satisfactory. The boys appeared to be well taught but the internal economy of the house was pronounced 'abominable' the rooms were dirty, the linen filthy and the food very bad! Mr Cowen was plainly told that unless a general improvement took place —unless in short these orphans being sons of officers for whom an ample payment was made, were put on an equal footing as regards care and comforts with his other pupils —the Managers would be compelled to remove them. Mr Alexander who had been specially deputed to inspect the school gives the worst report of all but he finds even in that abode of filth one clean spot and describes it in glowing terms and in justice to the memory of Mr Cowen we will give him the benefit of that one redeeming trait in his "model seminary". "On a Saturday afternoon, says Mr Alexander, 'every boy is ordered into the verandah where two large earthen jars are placed. They are then stripped "two and two at a time are well washed and scrubbed by a couple of stout slaves with soap and warm water. I found "Mr Cowen sitting in the verandah overseeing this necessary "cleaning performed, and taking account of every boy as he "came out of the jar, that none might escape'. Mr Alexander urged that this process might with advantage be repeated more frequently than once a week. But even this did not reconcile the Managers to the existing

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\* This is sometimes erroneously termed "*Rohilla Prize Money*"

† The equivalent for Sonat Rs 1 842 3 6 being at the rate of 8 per cent on Rs. 23 027 12-0

arrangements. It was clear that the only way of effectually securing the proper education and feeding of the children would be by having for the boys, as well as for the girls, a house directly under the control of a resident Superintendent.

This, as we have already seen, combined with the difficulties at Ducansore, had led to the purchase of Levett's property.

The Visitor at Howrah who takes his stand on the bridge which crosses the Railway, and looks to the left on the ground now cut up with side lines and shuntings or covered with engine-houses workshops, and godowns, and beyond these on the goodly hospital and various other buildings which lie on the river bank, would find it difficult to realise the fact that all from Howrah Ghat to Tel Khal Ghat was one vast enclosure, and the large four tarreted house immediately before him, now used as the Cutchery stood in the midst of it and was the home of the orphans of the Old Bengal Army.

It seemed a well planned Institution it had an English clergyman as its Superintendent with a Head Master and Mistress for the Upper School also out from England while the tuition and care of the Lower School was in the hands of highly recommended Army Sergeants and their wives. At first all promised well. But alas! if the Society's records tell true, but little of the promised good was realised and a large amount of care and trouble which was little anticipated, devolved on the Managers. It soon indicated signs of human imperfection. The Sergeants, however highly recommended would drink their wives, however respectably reported of, would bring barrack habits and language into the precincts of the Lower Schools. The School Master of the Upper School would find or make time for other work which proved more lucrative or which, to speak more correctly furnished a substantial addition to the pay he received for his school duties. But the greatest disappointment and the most serious difficulty experienced by the Managers arose from the change which came over the Superintendent. On first entering upon his duties the Rev David Brown displayed great energy and zeal he introduced an admirable system for the internal management of the Institution, and devoted himself so heartily to his duties, that the Managers, to show their appreciation of his services, applied to Government to give him a Chaplaincy on the Establishment thereby raising his salary from this small sum of Rs 243, to that of Rs 493 14 8. But the Chaplaincy lost them their Superintendent. Before leaving England Mr Brown had received marked kindness and help from the already "Venerable Society" for Promoting

Christian Knowledge, in the advantages which accrued to him from being made an Honorary Member also liberal grants of books for use in India. Now this Society had founded the first mission of the Church of England in Bengal. Mr Kiernander, the pastor of *Beth Tephillah* as the Mission Church was called was their Missionary. He was now broken in health, for he had been labouring here since 1758, and was 75 years of age. Mr Brown's sympathy was at once appealed to a sense of obligation to the Society, and of commiseration for the old pastor, induced him to offer occasional help, which only as a Chaplain could he in those days have done. At length, with the consent of the Managers he was permitted to assist Mr Kiernander regularly to the extent of one sermon every Sunday, provided it in no way interfered with his direct duties among the orphans. But the connexion became very fascinating. The pulpit of the preacher offered more attractions than the office table of the Superintendent or the school desk of the teacher and so it came not unnaturally, that the duties of the Orphanage were one after another made to give way to the increasing demands of the Mission Church. A warm correspondence ensued between Mr Brown and the Managers, which ended in the severment of his connexion with the Orphan Society in the beginning of 1788 and he then became permanently attached to the Old Mission Church, and was the first of that series of Chaplains whose names are still reverently treasured among the traditions of that Church.

His place was filled by Rev Charles Seccombe at the time Chaplain at Berhampore, who gave proofs of considerable judgment and zeal in re organising the somewhat confused state into which the affairs of the Orphanage had fallen. But other and graver difficulties were presenting themselves. The lack of active supervision had engendered neglect in all departments the condition of the children had been overlooked the servants of every grade had become careless. Dirt and its concomitant disease especially cutaneous disease arising from want of cleanliness had got a footing in the Institution and needed more radical measures than the introduction of a new Superintendent to restore things to a healthy condition. In fact, like old Rome, it was *sed ruina pregnans*. The number of children had become too great, for the schools were no longer confined to orphans, the children of living officers for whom in remote up-country stations offered no means of education, had come from in considerable numbers.\* As for the Lower School, it

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\* Girls were admitted at Rs. 32, and boys at Rs. 30.

was the school for all India. It was virtually compulsory on all parents to send their children, when they reached the age of four years, to the Orphanage, for if not sent they would forfeit the Government allowance. So that at the time we are speaking of (1790) the house contained of the Upper School, 57 boys, and 40 girls and the Lower School 179 boys and 116 girls. Let any one now explore the Howrah Cutchery and think of it as a home for some 400 children, besides masters, mistresses sergeants matrons, &c, &c, and he will hardly wonder that week after week the visiting Managers complained of the condition of the children the very irritable skin disease already alluded to, had become epidemic as well as inflammation of the eyes also attributed mainly to want of cleanliness, and in many cases proving fatal to the sight. Nor will he wonder that "a Committee of the Faculty" should report "that nothing would relieve the miserable objects "which now crowded the Hospital and the house but more "room and freer circulation of air.

It seemed as if at length matters had reached that point *the worst*, from which any change must of necessity be for the better. One thing was clear some alteration must take place. It was useless to enforce weekly reports from the the visiting Managers to require Superintendent and Surgeon to be in attendance to accompany the Manager on his visit over the house. Some far more radical change was needed. No half measure would be of any avail. Either the house itself must be greatly enlarged and an independent building erected for a hospital, at an estimated cost of at least Rs 35,000 or else the two schools must be separated.

It is more than possible judging from the tenor of the Minutes of that period that the former course would have been adopted, had not other motives been also brought to bear on the decision of the Managers.

Of those other motives we would not speak with undue severity, yet speak of them we must, if in our interest in this noble Institution we would make the history of the past serve at all as a beacon light for the future though we feel it is only due to the Society, as it appears in 1866 to express a thankful conviction, that a very different course has of late years been adopted by the Managers and a corresponding improved tone of mind and life has, under the influence of English gentlewomen at its head, been imparted into the Upper School.

The Upper School, be it remembered, is the only material evidence of the working of this Society. It is to the mass of English residents the embodiment, the impersonation,

of the Society, whereas it only forms, as will have been already seen, one portion of the Society's wide and varied operations. If this school did fail as we acknowledge we feel it did fail, to realise all that a retrospect of its career naturally leads one to believe it was capable of effecting the cause of that failure may be traced very far back, the wrong bias was given at a very early period of its existence. We detect it at the outset, in the code of rules, by which on its first establishment at Howrah it was to be governed. The end set before Superintendent, Masters, and Mistresses was not only 'to form the ideas of the children, and to improve their minds, but while 'rendering the boys agreeable in their manners and sociable in their habits 'and disposition' to "render the girls agreeable and engaging "in their deportment, that they might make eligible marriages "in the Settlement."

In the very distribution of prizes we see the same spirit bursting forth. While the boys are rewarded with books such as Thomson's Poems Addison's Works the Rambler, &c, the proficiency of the girls in their more refined accomplishments is characteristically rewarded. the best reader receives, not a book but a pair of ear rings, the best worker, not a work-box, but another pair, of ear rings the best writer a breast pin, a suit of ribbands is the prize for the best repeating, and a sash for the best spelling! Vanity as the handmaid to matrimony

That the Howrah arrangements failed in marrying off the young ladies, more than ophthalmia, or that other disease not to be named to ears polite was the real cause which brought them over from that side of the water. The lever was applied by no other than Major Krikpatrick himself and every member of the Management lent a ready hand to move the Upper School into a locality more productive of likely and eligible husbands.

'There is every prospect' (wrote Major Krikpatrick more pointedly than politely) 'that the unmarried girls would "become a burthen to the Funds, and the Orphan House an Hospital for old women as well as an Asylum for infants." There was staring the Managers in the face the astounding fact (recorded by another of the Managers) that several of the young ladies had already attained the ripe age "of 18 years, 'and yet had received no proposals of marriage which the Managers could approve of!'" It had been decided that dancing should form an important part of their education, as though dancing were the great qualification for matrimony, a dancing Master was engaged at Rs 80 a month, to preside over

this "School for Wives," balls were given frequently to promote the desired result, and yet, despite expense and trouble, the number of young ladies was increasing rather than diminishing! So the Upper School was to be brought over to the Calcutta side, and so urgent seemed the case from the combined causes of sickness and celibacy, that when the noble house, formerly occupied by Mr Barlow, at Kidderpore, was offered at a rental of Rs 450 a month, the meeting, held on Tuesday the 1st of June, 1790 which decided on renting it, resolved that all the Upper School children were to be brought in *on the following Monday!* And on the Monday they came

Now if there was not political wisdom (as the Court of Directors declared there was not) in the original design of sending all the orphans of officers to England to be educated there was at least much kindly feeling and good sense But if only, when the restriction was enforced, and it became necessary to form a Home in India the same kindly feeling and good sense had influenced the counsels of the managers to make that Home a profitable one—if, instead of being taught to regard matrimony as the one great object of education the aim and end of existence the young ladies of 70 years ago and for years and years after, had been taught that there were many spheres of duty, of usefulness, which an unmarried lady may fill and adorn—then had India seen in her schools and quiet English homes good proof of the wisdom which presided over the Orphan age of the Army

And now, as the doors of Kidderpore House open to receive the orphans, let us take a passing glance at the establishment which enters The Superintendent has disappeared. With the separation of the two schools his services were considered no longer necessary There are a School Master, and School Mistress, each having one Assistant a Secretary and a Surgeon, (and a Home Agent)\* It may not prove uninteresting to the wards of 1866 to know what was the prescribed dress of the wards of 1790 It is midsummer The boys appear in a white nankeen jacket, and drawers of white strong

\* The monthly cost of the establishment was as follows —

School master	Ra. 213	Secretary	Ra. 200
Assistant master	150	Do House Rent	100
School mistress	200	Office Establt.	80
Assistant mistress	80	Surgeon (supplying medicine)	100
House servants	57 8	Home Agent £ 100 a year	

The boys were dieted by the master the 11 elder at Rs 11; and the rest at Rs. 8 a head. The girls by the mistress 13 elder at Rs 12 and the rest at Rs. 7

The average monthly cost of each child was 26 8



thick dussootee and the girls in a long shift of thin tussah with a frock of strong coarse *charkonnah*. As the cold weather comes on, the boys will change the thin nankeen jackets for a coat and waistcoat of scarlet cloth with blue cuffs, and for dussootee drawers 'close trowsers of nankeen,' while the girls will make no outward change, only adding for warmth's sake a petticoat of Patna chintz.

And as the doors close on them, and they distribute themselves over the noble range of building, this paper may fitly close too. We have only as yet gone over 8 years of the history of the Fund, but the 76 years which remain will scarcely occupy more space, yet they will we hope contain statements even more important, they will tell of the fuller development of a grand design, of a Fund by year y year becoming financially more sound until, from being purely an Army institution, it became, under the requirements of Imperial policy, absorbed into the general administration of the country.

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ART VI—*Unpublished Journal of Captain Musafir*

IT is a popular opinion that the retired Anglo Indian is the most miserable of human beings. Burying himself in Bayswater—rightly on that account dignified with the nick name of Asia-Minor—the old Indian is popularly supposed to reserve to himself the right of grumbling at a society in which he does not mingle and of railing at people to whose customs he is too indianized to conform. We do not say that this impression is correct but we do affirm that it is very generally entertained by the English, pure and simple. These have come to regard the great bulk of Anglo Indians as a race entirely apart separated from themselves by peculiar ideas upon most subjects by an incapacity to converse upon other than matters pertaining to India, by a pertinacious exaltation of the customs of Anglo-Indians in India as compared with those of the English in England. Admitting these impressions to be true as regards the majority of retired Anglo-Indians,—of the men who spent thirty years in India without once in the interval, revisiting their native land—we believe it will be generally conceded that the nearer and more frequent communication with England which has been gradually progressing since the establishment of the Overland route together with reforms consequent on the mutiny is bringing about great, and will yet bring about greater changes in this respect. These changes are already indicated by the improvement that has already taken place in the choice of subjects of conversation in Indian society in India itself. Thirty years ago the man that would have made any allusion to English politics at an Indian dinner party, would have at once been set down as a prig or a bore. He would have alluded to subjects which to the remainder of the company present would have been the veriest Hebrew, with which scarcely one man in a hundred ever troubled himself. The truth of this statement has lately received the fullest confirmation in Miss Eden's amusing account of her travels with

Lord Auckland up the country We there see in what a light a clever, well-educated, well informed English lady regarded the society amongst whose members her lot had been temporarily cast "Their men," she says, 'can talk only about Vizier Ali, and their ladies about nothing at all' We can quite believe that this criticism was perfectly applicable in those days We can thoroughly understand how Miss Eden, who had mixed with the best society in England who had been associated with the leaders of English parties, and who had taken a more than ordinary interest in English politics, should have found herself vexed, and bored, and fatigued to a degree at being forced to associate with a society, to the members of which English politics were a sealed book, and the history of English parties absolute Chaldee who had with her not one subject in common, whose ideas were limited to the promotion of their husbands and to their own precedence at Government House It may indeed be remarked that Miss Eden's memoirs relate to a period too remote to be quoted as in any way illustrating the present epoch We perfectly coincide with this objection, but we cannot help observing at the same time that the late Albert Smith, himself no ordinary observer of human nature at a much more recent period made a remark not very dissimilar It was the fortune of that popular author to proceed to England from Galle in one of the Overland steamers crammed full of Anglo Indians. With respect to the ladies Albert Smith remarked that they appeared to be so entirely engrossed with a struggle for their own precedence at the cuddy table that they seemed absolutely unable to talk of anything else With regard to the men, he observed, that judging from their conversation during a voyage of sixteen days he had come to the conclusion that in their opinion India was the vastest, the grandest, the most important empire in the globe, that upon the sayings and doings, upon the promotions and appointments, of every man in that Indian Empire, the eyes of the entire civilized world were fixed with the most intense longing that they regarded England as a distant island, entirely dependent upon India, and the only use of which was to supply Anglo-Indians with beer and cheroots It is difficult to believe that this is not an overdrawn picture, but that it was sketched by a man possessing peculiarly observant powers who had no interest in vilifying Anglo Indians or in exposing them to ridicule and contempt, is a clear proof that it had some foundation

It would be in the highest degree unfair however to take this, in even a modified form, as at all an accurate description of Indian society twelve years ago. On boardship many people are peevish, uncertain, and selfish they display the worst side of their characters. Steamers from India too carry a particularly large proportion of invalids and it can scarcely be wondered at, if deprived of their accustomed luxuries, shut up in small boxes dignified by the name of cabins, crowded together to a most inconvenient degree, these people vent on one another the accumulated bile of many years' Indian existence and appear to a stranger on board infinitely more disagreeable than they would be, if met under their own punkahs or by their own firesides.

If then we may consider Albert Smith's description as overdrawn, applied to the Anglo Indians of twelve years since we do not hesitate to assert that we regard it as totally inapplicable to the Anglo Indians of the present day. Since that period the moral atmosphere of India has been cleared by the thunder storm of the mutiny, and the old ideas, which produced the conduct so strongly condemned by Albert Smith, have been replaced by others, fresher, more sensible more consonant to the spirit of the age. Were Miss Eden to re appear on the Indian stage, we are confident that she would not now complain that the men could only talk of Vizier Ali, and the ladies of nothing at all. English politics are no unfrequently discussed in Anglo-Indian society. The characters of the public men of Europe are fairly known, and are freely commented upon. Events of European interest are looked forward to often with an eagerness which may be pronounced intense. There is within our own experience, infinitely less longing for social precedence than existed before the mutiny. England is no longer regarded as a dependency on India, to provide it with beer and cheroots, but it is looked upon as the land of promise—the country a return to which before a man's energies are entirely exhausted by this exhausting country is the temporal aim and object of the life of almost every man. This feeling is re acting and will re-act still more upon the retired Anglo Indians at home. We mean that the men who now retire will be different in many respects from their predecessors. It will be their pride to be Englishmen instead of merely members of a distant colony in the Asia-Minor of Bayswater. They will cease to pronounce the customs of the English inhospitable, and their manners cold and distant. Their frequent visits to England, during their period of service, will have taught them that in a country

in which it is possible for a pickpocket to wear as good a coat as a peer it is absolutely necessary that a man should have a special introduction to an English gentleman, before this last will associate with him on terms of equality and confidence, that it is not sufficient, as some old Indians of the present day imagine that a man should have been Commissioner, or a Colonel, or a Sudder Judge in order to be accepted as such by Englishmen, receiving the same respect and adulation from the masses as would be readily accorded to the holders of the same positions in India. They will find out before very many months, that in England a man is received and treated not with reference to the appointments he has held in this country but simply and solely according to the manner in which he conducts himself at home. A man who is clever well informed *au courant* with all the events of the day will find himself a welcome guest in any society. In such a case the Anglo-Indian will find that the fact of having spent many years of his life in this country operates often as a point in his favour. It is only when Anglo Indians are pompous opinative, hankering after positions which they cannot attain, intolerant of others, and openly expressing a longing for the fleshpots they have left—and this is now the character they have earned in England—that they find their service in India acts in the minds of ordinary men to their prejudice.

But that the younger members of the Anglo Indian community will fall into the errors in this respect of their predecessors, we consider more than improbable. Every day shows us how all the un-English habits of the Anglo Indian are one after another being cast aside how the rage for precedence has disappeared how the assumption of airs and graces by an individual, who may happen to possess some high office in the State has come to be regarded, even by the services, as eminently ridiculous, how the toleration of the opinion of others is save by a remnant of the old leaven, looked upon as a matter of course. In fact we may sum up our review of the progress of Anglo Indian society since the mutiny by this simple remark that it has been a gradual and increasing progress toward the state of society in England.

Nothing has tended more to bring about this improved order of things, than the increased facility of communication with Europe, and the opening out of new routes to the traveller. Of these in the present day there is an almost unlimited choice. From Alexandria steamers leave, in connexion with the Indian steamers, for all parts of the world.

There is the time-honoured route to England by Southampton,—the best probably for invalids—and the almost equally well worn course by Marseilles. Of the older routes too Trieste puts in a well considered claim for patronage. Amongst those more recently opened out too are Ancona and Brindisi. The latter bids fair to usurp the place of Marseilles, so far as relates to the carriage of the mails. But the lover of the picturesque will never choose wittingly the route by Brindisi. The long dreary railway journey from that place to Ancona presents nothing to please or delight the eye. Far preferable, and scarcely longer would be the route from Malta to Naples, thence by Rome Florence and Milan to the Italian lakes. From Milan there is a profuse choice of routes homewards, in the selection of which the traveller will follow his own tastes. Our own predilection we decline even distantly to hint at. We are free however to admit that the perusal of the unpublished journal which stands at the head of this article, has convinced us that an Indian traveller may experience intense delight and enjoyment when pursuing with a light heart and tastes not too vitiated by long years of sojourn in India, a route so well known and so well worn as is that of Trieste.

Captain Musafir would appear to be an officer of the Bombay army, who left India with his wife some four or five years ago on twenty months sick leave to Europe. What has since become of him we are unable to state nor indeed is it necessary to our story. His journal was handed over to us with the most satisfactory proofs as to its authenticity. Of this indeed it bears undoubted internal evidence, and it is this alone which makes it valuable. We gather from a few prefatory remarks affixed to it that Musafir was a fair German scholar, a great lover of the picturesque, an adventurous traveller and an ardent devotee of "the gentle art." His predilection indeed for this harmless sport appears to have been confirmed and strengthened by the notorious fact that the trout and grayling always choose their habitation in those rivers which meander through the loveliest valleys, and, which are fed by streamlets from the grandest and most magnificent mountains. His taste for the picturesque and his love of travelling would seem to have been shared by his wife for it is evident from the journal that she accompanied him everywhere, and found that the glorious scenery to which she was transported far more than compensated for the rough accommodation, by submitting to which a view of such scenery was alone attainable.

We gather from the journal that after the ordinary incidents of an overland voyage, our two travellers arrived at Trieste at 11 o'clock on the 15th May \*. They put up at the Hotel de la Ville, which they describe as being one of the best and most luxurious hotels on the Continent being furnished with hot and cold baths, and every possible convenience. It is, however, dear in comparison with hotels in other parts of the continent. This arises from the fact that Trieste itself is a very expensive city. Attached to the Austrian Empire, it is yet a free port, and in possession of this privilege it has attained to a degree of prosperity which fairly takes the traveller by surprise. The shops are numerous and well stocked, the equipages well built and remarkably well horsed, the ladies elegantly and handsomely dressed. The promenades are crowded whilst the poorest people seem to wear a happy and contented air and to be full of employment. There are two opera houses besides other places of amusement. The houses are well built and comfortable, with handsome exteriors. There is an abundance of pretty villas along the shores of the Adriatic and on the hills behind the town. In fact, in whatever direction the traveller may turn, he meets striking evidences of a prosperous well ordered, and contented community.

Our travellers felt much struck with the appearance of the town and its inhabitants. Musafir records how even at the hotel door he and his wife were met by flowergirls carrying with them the loveliest flowers, which, either singly or made up into bouquets they almost force upon the traveller. Few of these are ever so churlish enough to refuse the proffered gift or to return it by a present of some small coins. But should they refuse they are deprived of the extreme pleasure of hearing, probably for the first time in their lives, in the melodious tones and soft accents of Italy, and delivered as if coming from the heart, the sweet sounding *Grazie*. Of the houses and villas along the shores of the Adriatic to which we have alluded, certainly the most striking is the palace of Miramare, lately the residence of the Archduke Maximilian brother of the Emperor of Austria, and now himself Emperor of Mexico. A good view of this palace can be obtained from Trieste itself, for it stands on a tongue of land jutting out into the Adriatic, thus seeming, from a short distance, to be as it were detached from the main land. It is the point which

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\* The date of the year is not given in any part of the journal, but from the state of completion of the railways it could not have been more than five or six years ago, possibly less.

first strikes every traveller after his arrival Musafir and his wife were not content with a distant view of it, but drove out with some friends to inspect it. It is distant from Trieste about five miles and the road to it borders the Adriatic on the one side whilst a range of high hills on the other clad with rich verdure presents a striking contrast to the deep blue of the sea. The palace itself is built in the real Gothic style, and is most beautiful. Only a portion of the interior was visible as the Archduke and Archduchess were residing there at the time, but that portion showed how completely comfort had been united with elegance in the construction. The gardens attached to it have been beautifully laid out. The ground from the castle ascends and of this ascent every possible advantage has been taken. There are natural grottos cut out of the rock, arbours ingeniously formed so as to command the loveliest view and to be impervious to the brightest Sun. The flowers are lovely the beds arranged with great taste and kept in the most perfect order. The whole garden in fact presented the appearance of a fairy land culminating in the enchanted castle on the sea. The Archduke and Archduchess generally stroll about the grounds in the afternoon, mingling freely with the people to whom they courteously allow admittance. On the evening, however, our travellers visited it they did not appear.

To obtain entrance into the grounds it was simply necessary for Musafir to present his card. The tall soldierly lodge keeper who demanded it had all the appearance of a man who had seen military service and Musafir could not help putting the question to him when the party went out. He replied, records Musafir, in the following words. "Yes I have served but it was in Hungary and against Austria. He added in a proud melancholy tone 'I am a Hungarian'". It appeared from further questioning that he had served under Bem and had fought as long as any hope remained for Hungary that after Russian soldiers had trampled out the last spark of the fight for freedom he had taken a civil post. With the Archduke he had been for the past six years. His connexion with the Imperial House had not however changed his sympathies at all, for when Musafir enquired from him whether he did not think that an union between the two countries with one parliament for both would not satisfy all legitimate aspirations, he replied in a tone, the mournfulness of which, writes Musafir, it would be impossible to describe, "it would be beneficial for Austria but not for Hungary". It was curious to hear this expression



of genuine patriotism, uttered in despotic Austria, and at the gates of the palace of an Austrian Archduke!

We have alluded to the hills behind Trieste. These are extremely pretty and abound in drives presenting glorious views of the Adriatic. On the day following their visit to Miramare our travellers drove to a village called Sessana, on the line of the Vienna railway. Sessana is nothing in itself, but the drive to it is most lovely. The road winds up a gradual ascent of 1800 feet, and commands during its course, after the first half hour a splendid view of Trieste, the Adriatic and of the picturesque town of Pirano on the Illyrian coast. In a very clear day free from haze, Venice itself may be seen. At Sessana our travellers met an Austrian officer, a native of the province of Moravia, who had served in the Italian campaign of 1859, regarding which he conversed freely. He did ample justice to the French soldiers and their emperor. Of the latter indeed he said that if he had been at the head of the Austrian army and if Gailley had commanded the French, he was confident victory would have been with the Austrians. Their defeat at Magenta he attributed to the utter incompetence of Gailley, and their ill success in the campaign to the treachery and disaffection of the Hungarian and Italian Regiments. He appeared most anxious for a fresh trial. "Let the Emperor," he said, "send to Italy only Moravians, Bohemians, Croats and Austrians, and let him place Benedek at their head, and I'll answer for it we'll win back Italy." It appears from various entries in the journal that this feeling was shared by almost all the Austrian officers and privates our travellers met with.

On their return to Trieste the travellers followed another and more circuitous road, in order to visit the Imperial breeding stud at Lipizza,—a place famous for its grass lands. The sight here was well worth seeing. At Lipizza there are horses of all nations, amongst them many English thoroughbreds. But those that most attracted notice were the Arabs,—far more perfect in shape than any Musafir had seen in India. Many of them must have been of the purest Arabian blood, so absolutely faultless was their conformation. The care bestowed on these horses as well as on the mares and foals cannot be exceeded. It is a pretty sight to see these loose in their large well built houses, all herded together, living in the most perfect amity. They are treated with affection and gentleness by their attendants. No other mode of treatment indeed could have produced the sweet temper

and docility displayed by all the animals in this vast establishment.

It is impossible to leave Trieste without alluding to the custom there prevailing, so admirably adapted to a warm climate, of taking enjoyment in the open air. No sooner does the afternoon sun show an inclination to hide his glories behind the not too distant hills than in front of every *café* numberless chairs and small tables are placed. To these, after the promenade, all Trieste repairs. A band as if by magic appears and under the vaulted canopy of heaven, the tideless Adriatic at their feet, the honest burghers sip their coffee, enjoy their ices, and listen to the soft music. Occasionally the scene is enlivened by songs from strolling performers. There is no excess no drunkenness, no uproar. All is conducted with the decorum which rules over the arrangements of a private concert in England. Yet in Trieste this takes place daily, and the sole payment received by the musicians and singers depends on the charity of the listeners. Such a scene would always strike Englishmen, but upon Musafir and his wife coming as they did from a country hotter than Trieste, but into which the conquering race has introduced the social manners and customs of a northern climate—the heavy dinners, the formal visits the tedious drives—the impression appears to have been most vivid and pleasing.

On the 18th May our travellers left Trieste by railway for Adelsberg famous for its caves. The line of rail lay among the hills and the many bends it made and their sharpness,—sometimes almost at right angles—appeared to have completely astonished the two Anglo Indians. The journey itself takes little more than an hour. Adelsberg lies about 1800 feet above Trieste and is proportionately cooler. It is in itself but a small village deriving all its importance from the wonderful caves in its vicinity. To inspect these was the object not only of Musafir and his wife but of all the travellers who stop at Adelsberg. In order to see the caves in perfection it is necessary that they should be thoroughly well lighted up with torches and candles. Our travellers were fortunate enough on their arrival to find that orders for an extraordinary illumination had been issued by some American gentlemen who were staying at the inn, and who permitted them to join their party. Snatching a hasty meal the whole party left the inn about 11 and arrived at the entrance to the caves a quarter of an hour later. They did not emerge from the other end till 3 o'clock. To describe accurately what they saw in that interval would

require a paper by itself Transported suddenly from the fresh, balmy, sunny air of the outside world into the very heart of the earth—a gloomy cavern with no light save that afforded by the torches of the guides,—the travellers found themselves entering now vast halls vaulted with rocks and supported seemingly by pillars of alabaster—now narrow passages the flinty sides of which sparkled like diamonds Again, they entered the nave of a glorious cathedral at the other end of which in the place where the altar should be, was a visible representation of the crucifixion, not carved but formed naturally by the rock The grandeur and dread peculiarity of the sight impressed itself on all the members of the party They could scarcely resist the conviction that they were in another world. Sometimes depressing them by its gloominess, at others exalting them into enthusiasm by the glorious shapes formed by the alabaster like stalactites, the effect was to make them utterly forgetful of the sun and the trees, the light and the air the green meads and the running streams they had left outside and to induce the idea that they were really passing through the valley of the shadow of death to the vale that led down to the Styx The apparition of Charon and his boat would not, in those moments, have surprised any of the party As if to complete the illusion there was below them a river dark as Erebus, flowing onwards through the depths of the earth, and seeming to indicate that there was a point yet to be reached at which its stream would widen and interpose a barrier between the visitors and the world beyond Until the travellers approached the very last of the caves the spell was complete, nor did it leave them till, at a sudden turn, a flood of light reminded them that—

“ The Earth hath wonders as the water hath

“ And these are of them

Leaving Adelsberg the following morning about 9 o'clock, our travellers left for Gratz the capital of Styria, and arrived there about  $\frac{1}{2}$  past 4 the same afternoon The train carried them through a lovely country Between Steinbrück and Gratz the alternations of hill and dale were charming The river Save, between Laibach and Steinbruck, had all the appearance of a good trout river but they did not stop to try it Probably, in common with all the rivers on the line of railway in Austria, it is strictly preserved, the trout being periodically caught and sent up alive in wooden barrels filled with water to Vienna and other large towns, bought up

there by the innkeepers, and preserved by them in reservoirs for their customers

At Gratz our travellers put up at the Archduke John hotel, kept by a most obliging landlord, but one who knows how to charge those travellers who are unacquainted with the German language To this subject reference will be made further on Gratz itself is a charming town very clean, and containing much that is interesting to the traveller The walks in and about it are most enticing Right in the centre of the town rises the Schlossberg on the summit of which there was once a fort It now, however constitutes one of the promenades of the place and is in every respect well worthy of a visit The views which it commands of many miles of lovely country in Styria—the most beautiful province of the Empire—make the traveller long to set off at once to examine for himself Indeed if a tour off the line of rail be the object of the traveller there are few places better fitted to make a start from than Gratz Everything is procurable there—horses, mules carriages guides, as well as every requisite in the way of clothing for the pedestrian or the ordinary traveller It is besides comparatively a very cheap place The landlord of the Archduke John assured our travellers that for £100 a year a man and his wife could live very comfortably and for double that sum like princes It is this cheapness that has caused Gratz to be selected by most of the retired officers of the Austrian army as their place of residence Many of these men have but £60 a year Gratz moreover has many other advantages It has an excellent and very cheap club frequented chiefly by military men capital public reading rooms it is very healthy and has very good theatres The military bands play out constantly It forms moreover the southern gate as Linz is the northern, into the very loveliest part of Austria—a country which, it is to be hoped may long remain closed to the mere tourist open only to the adventurous lover of the picturesque.

The town itself is divided into two parts by the river Mür very rapid in its course, with turbid discoloured waters It supplies the town with coarse fish in abundance, and in the winter with the huchen, (*salmo lucio*), the German salmon In the neighbourhood the sights usually visited by those whose stay there is limited are Maria Trost, Maria Grun, and the Hilmer Teich The first of these is a church and monastery beautifully situated on the summit of a hill some five miles from Gratz The church is picturesque from a distance, but contains nothing within it worthy of much

notice The view however from it is glorious On the one side Gratz itself looking extremely pretty, embosomed in the green hills and cut in twain by the rapid Mûr, on the other the splendid range of the Styrian Alps, height piled on height, tempting sorely tempting to the pedestrian The walk from Maria Trost to Maria Grun is very lovely, leading the pedestrian, as the name signifies, to the most beautiful foliage On the grassy beds wild flowers in great and beautiful variety are abundant At the place itself is a small chapel of no great significance, but the walks all about it are most enticing The Hilmer Teich is a large pond or lake full of tame carp very prettily situated in grounds on a hill which slopes upwards from the pond Both pond and grounds are kept most carefully This is the great afternoon resort of the beauty and fashion of Gratz Here while a splendid band does justice even to the genius of the great German composers they sip their coffee row on the lake, or stroll about the pretty grounds As the ladies of Gratz dress well and with great taste, the sight to a stranger cannot fail to be attractive \*

The Musafirs left Gratz unwillingly on the morning of the 23rd May The bowing landlord of the Archduke John presented them with a bill which though not moderate, could scarcely be called excessive yet their respect for him on that account diminished considerably when they learned that he had charged three English ladies who had stayed at his hotel only half the time nearly double the sum The reason, they ascertained was that these ladies were ignorant of German Their further experience in Austria proved to them that a knowledge of the German language, by at least one of the party was essential to economical travelling, and even very often to comfort Such knowledge implies the knowledge likewise of the customs of the country and the landlords anxious as they are to take every advantage of English travellers are afraid to impose upon them too much under such circumstances In their after journey, the Musafirs heard repeatedly of English travellers who had paid double and treble the price charged to them for the very same accommodation and for similar meals

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\* The people of Gratz are very agreeable to strangers Towards their own Government they assume a free and independent bearing quite new to the traveller who has heard of nothing but despotism in connexion with Austria Here assembles the provincial diet of Styria, the resolutions of which are not always pleasing to the Austrian Emperor Though almost all the inhabitants are Catholic, all religions are tolerated, and there is a Protestant Church in the town

The rail from Gratz to Brück follows the course of the troubled and turbid Mûr. At Bruck however another river, the Murz joined in of a very different character. As far as Murz zu schlag, this clear, bright river gladdened the eyes of the travellers, running through a smiling country, inviting a further inspection and a lengthened visit. At Murz-zu-schlag they commenced the ascent of the Semmering, the road across which was then regarded as one of the greatest engineering triumphs ever accomplished. The scenery over this pass is extremely grand.

About 4 o'clock that same afternoon our travellers reached Vienna, and put up at the Kaiserinn Elisabeth, a clean and comfortable hotel. Vienna is too well known and has been too often described to need any reference to it in this sketch. It will suffice to remark that the Musafirs appear to have been less struck with the city than they expected but to have been remarkably impressed with the light gay and jovial character of the people and with the extreme politeness of the officials. It happened to fall to the lot of Musafir to call on the Minister of Police to request a slight favour. This gentleman not only readily granted it, but when Musafir left the room, he, a Baron of the Empire, insisted on rising and conducting him to the door. Nothing in fact could exceed the civility they met with from the officers of the Government on all occasions but one.

It being the object of the Musafirs to make a lengthened tour in that lovely part of the country, known as the Salzkammergut, and in the Austrian and Bavarian Alps it formed no part of their plan to remain long in any city however attractive and they accordingly left Vienna on the afternoon of the fourth day after their arrival and proceeded by train to Linz—a town before alluded to as the northern gate of the lovely mountainous regions of Austria. There is an alternate route to that by rail, namely the steam trip of the Danube, and that many travellers would doubtless prefer. From Vienna to Linz however by the Danube route involves the necessity of sleeping one night on board a steamer. The finest part of the river moreover, is between Linz and Passau, a river trip of but nine hours and our travellers resolved therefore upon proceeding to Linz by rail, thence inspecting the Danube by a trip from that place to Passau, then returning to Linz and from it to enter the much celebrated Salzkammergut.

Linz, which they reached by rail that same evening is charmingly situated on the Danube. To the north and east

of its picturesque hills rise moderately to add to its beauty, whilst, stretching out south and west, may be seen the hills and mountains of the Salzkammergut, and beyond them the giant ranges of the Noric Alps magnificent with their snow capped heights. The view from the smaller hills first alluded to is extremely beautiful and though not perhaps so soft and regular as that from the Schlossberg or Maria Trost at Gratz yet the superiority of the mighty Danube to the turbid Mûr gave this in the eyes of Musafir a greater charm. The sight alone of this splendid river separating into several channels then moving grandly and imposingly along at once rivets the attention and invites admiration. Then again at right angles to it about a mile below the town of Lunz, may be seen running into it a little river, tumbling among rocks rapid in its course bright green in its colour—a river which from its appearance thrills the heart of the fisherman. This river is the famous Traun, the artery of the Salzkammergut the guide to the finest scenery, in many respects in the world. Hail to thee thou shining stream all hail to further acquaintance with thy bright waters!

Linz itself is a clean town—but in the extent of its resources it cannot be compared to Gratz. The shops are inferior, it is less populated and the better class are evidently poorer. The fact is that the Linzers have had to strive against a great many difficulties. They have had to pay for the construction of a series of round underground forts built on a system invented by the late Archduke Maximilian of Este—and which, comparing land with sea fortifications, may be said to approach more nearly to the turret system than any other. These forts are in fact underground turrets presenting nothing for an enemy to fire at and yet capable of pouring forth a continuous and destructive fire on an advancing enemy. They have hitherto been untried in actual warfare, but there is little doubt but that they would be useful, if they enclosed sufficient space to accommodate within the circle they embraced a large army, which would then occupy as it were an entrenched camp. But in the case of the fortifications at Linz this result is not obtained. There is not space enough within the circle comprehended by Maximilian's forts to contain a large army, whilst the small one which that circle could contain might be easily held in check by a small hostile army, leaving the main body of the enemy to march on Vienna. All this is recognised by the unfortunate Linzers, who have the poor consolation of feeling that they have been taxed heavily for fortifications which are practically useless, and that they have

still to pay five per cent on the unliquidated portion of the debt due on account of them. Whilst the Musafirs were at Linz intelligere arrived of the demise of the inventive Archduke. It is almost impossible to describe the feeling of intense relief produced by this news inasmuch as, just before his death, Maximilian believed he had invented a new and improved system, and he had proposed to bring this into operation at the expense of the burghers of Linz. His death, therefore, was hailed as an exemption from further taxation.

It is the fashion to look upon the Austrians as a race sunk in the deepest depths of moral and political degradation but travellers like Musafir and his wife will probably draw a very different conclusion. In the first place, absolute poverty appeared unknown. The men, who earned their bread by the sweat of their brows, occupied cottages which were decent looking outside and comfortable within. It is besides a noteworthy fact that of these pretty looking cottages there was not one the windows which was not filled with flowers—a circumstance insignificant perhaps in itself but which appears to indicate contentment and refined taste on the part of the poorer population.

Sunday at Linz is a very gay day. Between 8 and 9 o'clock in the morning the petty shopkeepers and peasants decked out in their best with their mass books under their arms may be seen wending their way from the other side of the Danube across the bridge, to the church, the tolling of whose bells reminded all of the day of rest from toil. Two hours later all Linz was promenading in the pretty avenue near the theatre. In such a lovely climate, with the bright hot days, natural to the country, everything seemed to invite to a walk in the open air. There was no artificial gloom no constraint, no ginshop quarrels no enforced penalty for being happy. The people went quietly and decorously to worship God in the morning and enjoyed afterwards the blessings of His Providence in the glorious sunshine. The shops were all shut with the exception of those for the sale of provisions. Those who have witnessed the hot dinners served out to the poor in England on Sunday, need not impute this as a crime to the honest Linzers. There is a Protestant church, the service at which our travellers attended, but the account they give of it is by no means favourable.

One of the prettiest views obtainable at Linz is that from the top of the hill called the Postlingberg, commanding a splendid view of the surrounding country. The many channels



of the Danube and, the windings of the bright green Traun, in the foreground, with the Alps stretching far back as the eye could reach, made the landscape a glorious one. It was impossible for our travellers to resist the impression that this was indeed the Pisgah of the beautiful country of which they had heard so much.

At Linz where they stayed at the Rother Krebs, a most comfortable hotel on the Danube, Musafir and his wife were joined by two Australian fellow passengers, who, partly on their recommendation, had come to explore the beauties of Austria. These gentlemen, even during the voyage, had betrayed some curiosity with respect to a little paragraph which appears in Murray's "Hand book for Southern Germany" in which reference is made to the surpassing beauty of the ladies of Passau. They resolved therefore to join Musafir and his wife in their contemplated visit to that city. On the morning of the 29th May accordingly the four started in the steamer. The scenery for the greater part of the way more especially between Aschach and Passau they found strikingly grand and magnificent. The grandeur too was derived entirely from nature. There is little artificial about the Danube. Here and there, indeed a ruin or a modern castle adds interest to the scene. But, on the whole, Nature alone has designed and painted the picture. But not in this respect alone does it differ from the Rhine. The banks of the latter are varied by towns, inland scenery, castles, chateaux and the river is everywhere bustling with life. Its surface is covered with steamers, rafts, boats, and pleasure parties. On the Danube on the contrary, all is calm and serenely beautiful. But few villages, three or four castles, perhaps only one steamer, and not half a dozen rafts meet the view in the course of the day. The course of the steamer lies between high hills covered with green verdure the varied tints of which are charming. Round and through these the river winds and twists. Of life however there is little. Whilst therefore the Danube would more interest the enthusiastic lover of nature, the Rhine would in all probability more attract the general traveller.

The view of Passau from the Danube is most striking. The traveller comes first upon the suburb of Innstadt on the Inn then on the city itself—on a central point of land between the Inn and the Danube—and lastly on the black little stream—the Ilz,—the Ilztadt suburb hanging over it. The *coup d'œil* is quite charming, whilst the green hills behind the three towns add to the serenity and beauty of the scene.

Passau itself strikingly reminds the traveller of a city that has been. The buildings in the old town are very fine, but are almost entirely void of inhabitants. The very hotel at which our travellers stopped had a gloomy and deserted appearance and the very ancient waiter in his long grey coat seemed to belong rather to the 17th than to the 19th century. This man was a character in his way. He told Musafir that he was a rigid Catholic and he lamented that the English were not so likewise. It was all owing, he said to that "teufel" King Henry the 4th "who had cut off the heads of Queen Charlotte Corday, and of nine other wives on account of their "Catholicism!"

But of all the disappointments in store for the visitors to Passau the greatest was experienced by the Australian explorers of pretty faces. In vain did they search the streets, the churches, the markets the thoroughfares not one even tolerably good looking person was to be seen. The shop of the principal photographer was examined with a similar result. The artist frankly declared that it had never been his good fortune to be sat to by a beauty. Great was the indignation of the explorers the youngest was even heard to mutter something about an action against Mr Murray for misdescription. Even he however, soon calmed down. He could not be for long insensible to the extreme beauty of the situation. That indeed was more than sufficient to compensate for the other disappointment. The walk from Passau to Hals a ruined castle on the black Ilz, was quite charming nor could one regard without interest the waters of the three rivers so different in colour, flowing on as far as the eye could reach without intermingling. Our travellers were not sorry however, to return the same evening to Lenz the streets of which appeared bright and gay in comparison with Passau. Here they remained for the Sunday then started on the following morning for their tour in the Salzkammergut.

This lovely province of Austria so called from its constituting the great salt district of the Empire is entered by Lenz on the north and is bounded on the west by Salzburg, on the south by the Great Styrian range, towering above which is the snow topped Dachstein and on the east by Styria itself. It is a land of mountains, of lakes, and of rivers of trout and of chamois, of brave men and fair women of a people who are simple-hearted and honest, active, enduring courteous to strangers, given to hospitality. A finer race there is not in the world than these hardy sons and honest-hearted daughters of Austria. They are too a stalwart, well-set up,

well formed people, God fearing yet merry, hardworking yet never sulky or morose Joy is in all their dwellings—a joy unstimulated by excess, and untainted by vice it is to them quite natural Poor they may be but they feel none of the ills of poverty Their own fair land produces for them in abundance and to spare They toil however yet right merrily, and it is no uncommon practice to see the peasants of both sexes assemble on the green sward after the day's work is over, and dance, to their hearts content, the pretty national dances of Styria and Upper Austria

Our travellers proceeded from Linz as far as Lambach by rail, then alighted in order to enjoy the lovely drive from Lambach to Gmunden and to visit the falls of the Traun about midway between the two places Lambach itself is pretty situated on the green Traun and is a neat little town commanding a fine view of the distant mountains It boasts of a decent little inn the Black Horse, the landlord of which had just returned from a visit to England, immensely struck with the degree of high pressure in farming there attained He was himself a farmer in a fair way and had some capital stock in his stables—the produce of Hungarian blood The prices he had given for some of these were ludicrously small For a fine looking well boned strong backed horse about sixteen hands high stepping like a park horse he named £16 or £17 as the price he had paid His Hungarian pigs too were remarkably fine, but as fierce as wild boars and disdaining n appearance all relationship with the animal as known in England

Lambach is well worthy of a longer visit than our travellers paid it They, for instance, had no time to visit the Benedictine monastery hanging over the Traun, famous for its library To the good monks belongs the exclusive right of fishing in that river as far as the falls, and they freely accorded it to Musafir The distant view of the mountain range was however too seducing, and he hastened to push on The second day after their arrival therefore, they started in a nice easy carriage drawn by a pair of their landlord's best horses, for Gmunden The drive, somewhat under two hours, was most lovely, the day was fine and the scenery as bright and varied as scenery could be Before them were the lofty mountains, approaching ever nearer and nearer, some of them peaked with snow, others with patches of it on their bluff fronts,—one quite covered, a huge mass of shining white On either side of them were, now a forest of tall pines, now undulating green fields, sometimes the

swiftly flowing Traun At the end of an hour the Traunfalls are reached and these they descended to examine How to describe the undescribable! The mass of water, the foam of spray, the rocks standing immovable in the midst the lovely scenery on the high steep bank—all combined to make up a picture which if not in the strict sense of the word grand is still intensely beautiful To those perhaps who have seen the great falls of America, or even the Rhine fall at Schaffhausen, the Traun falls will doubtless appear, as falls tame in comparison but from the lover of beautiful, scenery they must always evoke the admiration which their unique and simple beauty deserves

Gmunden itself which was reached some forty minutes later is a lovely spot The lake itself, nine miles long, with clear deep water through which the Traun takes its course and with mountains rising as it were from its very deepest depths to an overpowering height above it is most glorious Midway down its banks opposite the giant Traunstein is the little village of Traunkirchen, most picturesquely situated and containing one comfortable little inn—the best place for the traveller to stop in The view from the windows of this inn is lovely and never tiring The water is full of life, covered with steamers plying between Gmunden and Ebensee, with pleasure boats with fishing boats the giant Traunstein behind them all the waters dark in his shadow The banks of the lake and the small elevations near it are covered with little villas deliciously inviting for a summer residence Most of these belong to the Austrian aristocracy who use them for that purpose, preferring Gmunden with its lake, to the court frequented Ischl which has only the Traun Living at Gmunden is decidedly cheap At the Golden Sun where our travellers stopped, they were charged seven shillings for a bedroom and dinner including beer Even then the honest landlady apologised for charging so much, but” she said, ‘trout are half a crown the “pound

As mention has been made of beer it may be observed that all over the Salzkammergut that agreeable and often necessary stimulant is to be had in great perfection There are two places, however where it is pre eminently excellent unsurpassable by any ale that Burton can produce One of these is the town of Wels, between Lambach and Gmunden The beer here is most undeniable The brewer supplies most, but not all, of the inns at Gmunden The other place is the city of Salzburg The beer here obtainable is called the

Kalten hausen, from the name of the brewery in the vicinity, the property of Count Arco, a famous Bavarian sportsman This beer surpasses even that of Wels, but it must be specially called for if required Mr Jung, the excellent landlord of the Hotel de l'Europe at Salzburg to whom we hope our readers will be introduced some day, always keeps a supply of it Its admirers say, and say truly, that it is "better than champagne"

After a day or two's stay at Gmunden, the Musafirs proceeding by steamer to Ebensee, the southern end of the lake left the high road to make a more lengthened stay near the little lakes of Langbath, two gems embosomed in the heart of the most lovely country possible to conceive The village of Langbath forms with that of Ebensee, the southern extremity of the lake of Gmunden Five miles from this, up a gradual descent through a beautiful and hilly country on the banks of a little trout stream one of the feeders of the Traun is a little dwelling place half inn half farmhouse called the Krahe owned by a man named Loidl, but generally known in the district from his ownership of the Krahe, as the Krahmeyer This Krahmeyer is a very fine fellow Strong built active good humoured he was accounted till within the last few years the best climber and the most daring mountaineer in Austria He could almost run up some of the mountains which surround his comfortable little dwelling No toil was too great no journey too long or too venturesome that he should refuse to undertake it Before the gamelaws were made as strict as they now are in Austria, it is said that chamois venison was ever plentiful at the Krahe, the flesh of the roebuck and the lordly stag were always too at the service of the guests of the Krahmeyer But time has changed all this now The daring cragsman has seen at least his fiftieth summer and he is content to leave to others the perils of the chase Never now does he even attempt the ascent of a mountain He is still however a splendid specimen of a man Honest good humoured, content with his lot satisfied now with fishing the lakes instead of climbing the mountain, with driving where he would before have walked, he is yet ever ready to assist his guests in any expedition they may make to smooth difficulties to pilot them on the lakes or to procure guides for them up the mountains His wife is his worthy partner A good natured, motherly old lady always looking after the comforts of others simple-minded, unselfish, and —what is of no small importance,—a very fair cook in her way The little house, now

owned by them for many years is charmingly situated on a grassy spot surrounded by forest and mountain, some of these covered with snow. The view from this cottage is in itself invigorating—it is so picturesque so full of the beauties of nature so health imparting. In front of the inn is a little garden planted with trees under which are chairs and tables, and at these most travellers dine. Below this is the little river which has been followed from Ebensee, and which here close to the inn, tumbles over the rock with foam and roar and forms a splendid *douche* bath. The basin into which it tumbles is some ten or twelve feet deep—the water bright, clear, and cold. The luxury of a plunge into this after a hard day's work is not to be described. The good old hostess perhaps will warn you against the coldness of the water but, if you are an Englishman such warning is given in vain. To go to the bank,—where you are sheltered from outer view—to strip, to plunge in, is the work of but two minutes. The enjoyment is not to be described still less, the feeling of freshness of freedom from lassitude of anxiety to start at once on fresh expeditions which follow the immersion.

But we have said nothing of the little lakes—the gems,—which our travellers came to see. The first is distant from the Krahe about three quarters of a mile. The walk to it is most lovely. Starting through flowery meads, which form a beautiful foreground to the mountains towering above the traveller soon enters a glorious wood into which the sun itself cannot penetrate. Through this however is a beautiful path which he follows till emerging from the wood he comes into a park like avenue with trees and shrubs on either side. Turning a corner he finds himself suddenly in presence of the first lake. It is not very large,—perhaps nearly half a mile long and about as broad—but it is very beautiful. On its right a thickly planted forest down to the water's edge, seemingly impenetrable,—the trees covering the bank which rises high above the surface on the left more open yet still covered with trees, is a kind of wood through which runs the pathway along the edge of the lake on the other side a grassy foreground on which is erected a small shooting box, the property of the Emperor behind that a magnificent forest of lofty trees, splendid to look at behind that again, and indeed all around, the glorious mountains. It is a soft yet beautiful sight, the calm surface of the deep lake setting off the scenery around it and intensifying by its own bright beauty the loveliness of the scene.

That is the first lake Crossing it in a little canoe, of which there are plenty belonging to the Krahmeyer, the traveller jumps on the grassy plot alluded to passes by the Emperor's shooting box and enters the forest The trees in this are remarkable for their stately loftiness The walk through them has a romantic wildness about it in striking contrast with the pleasant brightness on the other side of the first lake After walking for a good mile and a half the sound of rushing waters strikes upon the ear and the traveller finds himself close to the little rivulet which drains the lake Then all at once, a corner is turned and the little lake itself, the gem of the district is before him

It is very small smaller than the first lake But both sides of it are beautifully wooded Its real grandeur however is caused by a solid mass of light grey, almost white, rock, which stretching on either side far beyond the lake seems to rise almost perpendicularly to a height of upwards of four thousand feet from its further end This rock seems too steep to climb yet it is swarming with chamois and is in fact, one of the favourite haunts of the Kaiser Gazing at it from the opposite side, its stupendous form assumes the shape of two ruined castles frowning down upon the lake The combination is perfect The clear water of the lake assuming however every moment different hues from the shadows cast upon it—the luxurious foliage, the stately castellated rocks—form a *tout ensemble* which perfectly rivets the attention Far grander is this than the first lake beautiful as that is far more calculated to strike the imagination, to engross one's whole faculties One could remain for hours and gaze at this most lovely scene going the circuit of the lake or venturing on the surface of its deep waters gaining from each move a peep into some new beauty To see that alone a journey from India would not be thrown away

It was this—this little inn and these two lakes,—which Musafir and his wife selected for their first halting place in the Salzkammergut Eight days did they remain here, and they were eight days of the most perfect enjoyment. Always out of doors, now making an excursion to the lakes now to the mountains now rambling through the woods, now rowing over the lakes, attempting vainly sometimes to explore their very depths—time passed pleasantly and quickly away It seemed to be the one care of the good old couple at the inn to make their English guests as comfortable as possible There were besides two Germans residing there,—one an Austrian who had been a great deal in England,

the other a Bohemian,—a retired officer, and a first rate mountaineer. The great passion of these two gentlemen however was fishing. They made their own rods and their own tackle in a style which London would not have disdained and they were most successful in extracting the spotted trout and the silver charr from both the lakes. Most friendly genial fellows they were. One alas! died that winter but it is presumed the other still lingers in his old haunts waiting perhaps for he was an ardent reformer, for the season of Austria's regeneration.

Amongst the mountains climbed here by Musafir was the grey rock at the end of the second lake. So strictly are the chamois preserved in these parts that even entrance into a certain range of which this stone mountain is one is forbidden to the general traveller. Permission was nevertheless given to Musafir to explore it on condition he took no gun with him and made no attempt to molest the beautiful chamois. Accordingly in company with a Jager one of the Emperor's keepers he made the ascent. A difficult and dangerous one it was, full of slippery places and headlong descents but in the presence of the white snow outvying the rock itself in whiteness and of the distant chamois clearly visible no sense of this was felt. One chamois actually bounded to within fifty yards of the travellers, and stood gazing at them from a point jutting out over a precipice. Suddenly he seemed aware of the dangerous proximity for with a bound he sprang upwards whilst the rattling of the stones below broke the silence of the scene.

The Jager was a charming young fellow he had served as a soldier in the Italian war and gave vivid accounts of the mismanagement that had led to the disaster at Magenta. There he said, the division with which he served were thirty six hours without food in the presence of the enemy they received no orders at all not a man was there in the force but believed that they had only to advance to be victorious but for forty eight hours there was no superior officer to give the order. Of Giulay and of Clam Gallas he spoke with the most undisguised contempt.

The Emperor himself though a strict preserver of game and very fond of killing chamois is not considered by his subjects to be much of a sportsman. Instead of climbing the hills, in a true Jager like fashion—the only satisfactory mode of placing oneself in competition with the chamois—he has a sort of 'machân' made for himself at the foot of the steep portion of the mountain. In this he sits and waits for the game which Jagers and others drive towards him. It



is an occupation scarcely worthy of the great grandson of Maria Theresa.

Our travellers quitted these lovely lakes and the good people at the Krähe with regret on the 12th June. The kind landlady's parting words were, 'Send us some more English we like to have the English,' and yet this wish could scarcely have been expressed in the hope of making extraordinary profits out of that people for on examining his bill for eight days Musafir found that the total, including board, lodging, beer, washing, scarcely exceeded three pounds. This was certainly not ruinous, yet it is probable that the Austrian lodgers paid even much less.

Walking the five miles back to Ebensee, our travellers drove thence to Ischl. The day was bright and warm and the view all the way lovely. The road lay along the banks of the swiftly flowing Traun with its clear bright green waters always charming. The beauty of the foliage though not of the form of the hills increased as they advanced. At length Ischl and in it the hotel Kaiserinn Elisabeth, kept by a most obliging host Herr Endmoser, a Bavarian, was reached. Without being in any sense grand Ischl is very beautiful. The five valleys which meet here cause such a variety of shape and size in the hills that different aspects are presented from every point of view. Coming from the more beautiful scenery of the Laugbather lakes, this at Ischl was still pleasing though from a different cause. It lacked the majestic grandeur and classic beauty of the first, but it had a soft and captivating air as if inviting the traveller to stop and rest in its charms. The best view of Ischl itself is to be obtained from the new hotel—the Actien Hotel. This hotel was designed by a very fine fellow named Bauer, formerly the proprietor of the Kaiserinn Elisabeth, but the magnificent scale on which it was erected quite ruined him, and it now belongs to a company. Bauer was a model host, not grasping but civil, obliging and attentive, and what is more, was beloved by the peasantry of the neighbouring villages and mountains. His taste is evinced by the selection of the ground for the hotel, the view from which is most pretty. The deep green verdure of the mountains is well set off by the light green of the Traun which running immediately under the windows of the Kaiserinn Elisabeth Hotel, separates the town of Ischl from the suburbs on the right bank.

Ischl is famous for its salt-mines and its salt and mud baths, the two last being useful for chest affections. But it is more honoured now as the summer residence

of the Austrian Court and the Austrian nobility Here the Emperor has a beautiful estate, especially dear to the Empress, as on its grounds she was betrothed It abounds with villas constructed in the Swiss style and boasts of a theatre, a concert-room, reading rooms and other places of amusement Ischl is not indeed the sort of place which our travellers would have made their head quarters Not only is it too fashionable for those who do not come only to see and to be seen, but situated in a valley its climate is somewhat relaxing It wants too the boldness of scenery by which other places near it are distinguished Still it is extremely pretty and the excursions to be made from it are many and varied

A general impression prevails that Ischl is a very dear place That it is more expensive than the surrounding and neighbouring villages is true and Englishmen unacquainted with Austrian ways may very often be imposed upon The Musafirs however, who stopped six days at the Kaiserinn Elisabeth (then reputed the best and most expensive hotel at Ischl) found that their total hotel disbursements for that period amounted exactly to four guineas everything included —no great outlay at the Biarritz of Austria!

Leaving Ischl on the 7th our travellers crossed the Traun and drove in the direction of the lake of Grundl the beauties of which had been reported marvellous Their road lay through the little village of Lauffen acquaintance with which and with the good little landlady who kept the inn there had been made by Musafir in some of his fishing excursions from Ischl This lady was a young Viennese who had just married and she and her husband had staked the first year of their married existence in the speculation of the little inn at Lauffen it being her part to look after the guests at the inn, his after the excursionists on the river Most admirably did they both perform their part and though the Musafirs left before the success of the speculation was decided there could be little doubt but that her pleasing manners and excellent cuisine would entice a sufficient number of the idle residents of Ischl to trust themselves to her husband's strong arm on the Traun Still she was anxious and every wet day seemed to add to her anxiety as Lauffen then had no visitors and the length of the paying season was to that extent diminished

Passing through Lauffen and other villages on the Traun, the travellers came at length to the foot of the Potschen Joch, 3224 feet high Crossing this rather uninteresting height, they descended on the other side into a

beautiful green valley at the extreme end of which lay the village of Aussee, also on the Traun Suddenly they came upon the view of the glorious Dachstein 10 015 feet high, and of the splendid glacier, the Carl's Eisfeld near its summit This sea of pure snow, as it appeared, had, with the sun shining upon it a most dazzling and beautiful effect On the other side of the valley, contrasting with the Dachstein is the Loser 6 000 feet of grey stone, whose castle like turrets are very fine indeed whilst the smiling green valley between caused both to stand out with the greater boldness A drive of about three quarters of an hour takes the traveller to the little town of Aussee very picturesquely situated Thence to the lake of Grundl is nearly three miles along the Traun through an extremely pretty country The Traun here runs like a torrent, looking gloriously All at once a turn is reached and the Grundl lake appears Such a piece of water! At least five miles in length and upwards of two in breadth very deep evidently On the northern side of it a chain of high mountains some of them covered with snow and all prettily wooded on the southern side a range of lesser height for the most part beautifully wooded with trees, lovely from their varying tints On the further or eastern side are bare rocks rising almost perpendicularly from the earth, at the foot of them a small village on the green foreground But what increased the charm of this lake immensely, was the smiling green grass land between the mountains on the northern side and the lake On this were some pretty cottages which with their inhabitants gave life and vividness to the scene The first glimpse of this spot was charming and our travellers found that its enchantment increased daily Each passing hour brought to light some new beauty some till then undiscovered charm in this most lovely place

The little inn at which our travellers stopped is immediately at the head of the lake commanding nearly its entire length, though a turn at the extreme end prevents it from being seen A more perfect site for an inn it is difficult to conceive It is a three storied house prettily built and very well arranged In front of it immediately on the banks of the lake is a little pavilion built in the Swiss style in which guests generally take their meals It is a place, too, in which one can sit and read write or work all day long This inn was built some years ago by the Emperor's "Fischmeister Kaim a thoroughly honest, fine hearted fellow No man more keen than he to explore the lake with the Englishman in search

of the funny tribe. He has had the honour of receiving the Emperor Francis, with whom he was a great favourite, within the walls of his house. But poor Kaim is now old and infirm, and is forced to lodge in the dwelling place of which he was once sole master. It is now rented to a man named Grogger, who has another business in Aussee, leaving his wife to manage at Grundl. The wife is a very tidy, good humoured, bustling housewife, and the best cook in Austria. Not even in Paris will the epicure be better treated than in the little inn, the Archduke John on the banks of the lovely lake of Grundl. She possesses too the faculty of getting good servants. Of these there were only two at the little inn besides herself. One of them Elise was being trained up in cookery, occasionally waiting at the table. The other Fanny, a modest, pretty brunette, was the *kellnerinn*, or waiter and a better, a more thoughtful or more attentive handmaid, there never was in the world. It was a sight worth seeing, to watch these two girls, on the Sunday when the place was crowded, waiting on a dozen tables at once, never making a mistake, always ready at the right moment, and doing it with an aptitude, a grace, an exactness which claimed and always won admiration.

Another hanger-on of the little inn was a brother of old Fischmeister Kaim. He was a peasant in the neighbourhood, but during his brother's lifetime had acted as admiral of the fleet of boats attached to the inn. This was still in a measure his work. Somehow he had contracted the nickname of the *Kanzler* or Chancellor—not on account of his aptitude at figures, for, poor fellow he could neither read nor write—but by that name alone was he known. He was the guide to all the beauties in the neighbourhood, his the hand to propel the canoe or to assist in capturing the lake trout. A hard handed, good hearted honest fellow was he,—may his life be prolonged!

But the lake-beauties of this place were not limited to the Grundl. Paddled by the *Kanzler* to the eastern end—a work with one man of about an hour and a quarter,—the explorer disembarks near the village under the bare rocks already alluded to, and walks under their shadow till he comes to the Traun,—here a narrow river with clear water of a brownish hue,—ascending this he enters a pretty wood and in about a quarter of an hour reaches the lake of Toplitz. This is a wonderful lake. Grand in its solitude, surrounded by mountains covered for the most part with the thickest foliage. Not a sound is heard, save that made by the Traun as it leaves the deep recesses of the lake,

and by the little rills, which, gathering as they descend, pour down the sides of the mountains like torrents, and which keep up the store of water. A stone on its banks marks the spot where the late Archduke John,—the defeated of Hohenlinden and once Regent of Germany,—wooed and won the fair daughter of the innkeeper of Aussee. This lake is about half the length of that of Grundl, and much less in breadth in depth it far exceeds it deep as that is. It is grand, solitary, and lovely. One returns from it however to the Grundl with a greater appreciation of the charms of that surpassing lake. It has the life the variety the cheerful gaiety in which this one is deficient. Before this return however, a visit must be made to the Kammer lake. This is but five minutes' rather rough walking from the further end of the Toplitz lake and it is well worth that trouble. Though very small the Kammer lake is extremely beautiful. Bare rocks rise to a height of about four thousand feet on its northern side and contrast beautifully with the wooded hills opposite whilst from a fissure two thirds of the height of the former trickling down its face into the lake may be seen a thin line of water—the source of the beautiful Traun. It is quite a gem of its kind,—the solitude lending it a peculiar charm. The trip to and from the inn at the Grundl lake occupies from four to five hours. The old Kanzler enjoys the office of Cicerone and never tires of pointing out the spot on the Toplitz lake where he and an English gentleman and lady spent the entire night, the Englishman engaged in fishing, and having it would appear most wonderful sport.

Independently of the enjoyment to be had at the Grundl lake and its tributaries in the way of fishing, boating, and climbing the beautiful mountains, full of chamois by which it is surrounded it is likewise a capital place from which to make excursions. Grogger, the landlord has first rate cattle in his stable to be let out on reasonable terms, besides which, the walks are, some of them, most lovely. Amongst these may be noted the walk to Alt-Aussee about five miles distant across the forest. Emerging from this, one comes into a series of green undulating meads with the glorious Dachstein in the distance. Alt Aussee is a very pretty little village, boasting of a lake called the Au lake and a very tidy little inn, where the stranger is carefully attended to. The cottages in this village as in the neighbourhood of the Grundl lake are clean and well kept and our travellers remarked that there was not one which did not make itself attractive by the flowers in the window. The peasantry were well to do,

hearty, cheery, and most civil and obliging. Another pretty walk is to the Netten or Eden lake, a third still prettier, across the mountains to Obertraun. But, indeed, of pretty walks there is no end.

It is the custom in Austria to pasture the cows near the summits of the mountains. On the various alms, or pastures therefore at various degrees of elevation there are built little huts or cottages called, in Switzerland, *chalets* but in Austria, *Almhuts*. But there is this difference between the two—that whereas in Switzerland the *chalets* are generally remarkable for their filth, and are kept by men who are always grasping and sometimes surly,—in Austria the *Almhuts* are models of cleanliness and are kept by mountain maidens who are always clean and fresh looking, often pretty, always unaffected and anxious to please. The first visit to one of these *Almhuts* was made by our travellers from the lake of Grundl. Piloted by the Kanzler, they set forth early one morning up the wooded sides of one of the mountains to the north of the lake. The ascent was stiff but in an hour and a half the green patch of level ground was reached and here were the *Almhuts* visible. They were so clean and in such neat order the butter, milk, and cream were laid so invitingly on the shelves that out of breath as they were our travellers could not help expressing their admiration. Whilst last not least, the aspect of the *Sennerinnen*—as the girls who follow this occupation are called in Austria,—was so bright and pretty they were so fresh looking so clean so glad to welcome the Engländer—that it was quite a fairy scene. They were prompt with their offers of fresh milk to the strangers and one of them even set about preparing a cake, of the nature of those on which the mountaineers live, and very much resembling oatmeal porridge with this exception that while it is being stirred up they put a lump of butter in the middle. Musafir tasted this and liked it but his wife did not much fancy it. She made amends however, by partaking of the beautifully fresh milk which the girls freely offered. Meanwhile the old Kanzler had begun to chaff them about the peasants who courted them and about the dancing which took place on the green alm in front of the *Almhut*. They laughingly denied however that they had any visitors beyond stray ones such as those who were then with them. By this time their simple meal was ready. After its conclusion, to amuse their guests, they began a charming Jodel or mountain song. It is by these they recall their cows from the distant pastures in the evening, and it may well be surmised

that never have these old mountains echoed back more pleasing harmony than that made by the voices of these Styrian maidens. On this occasion they continued their wild music long after their guests had left them, for the strain of it was heard after the Almhut and its fair occupants were out of sight.

Of the boats under the charge of the Kanzler at the lake of Grundl, some are built on the model of the English wherry others are simple canoes not unlike the open dinghy of India, but there is a third kind peculiar to the place. This is a small flat-bottomed boat with room in it for but one person. The sculler sits on the flat bottom, and takes in both hands a long propeller with blades at ends. This is dipped into the water alternately on either side, and by its means the boat is sent along at considerable speed. In managing a boat of this sort the first difficulty for the sculler is to balance himself. This is at first by no means easy, as the little skiff is extremely light and its rather high sides catch every breath of wind. This surmounted the next object is to use the propeller first, so as to avoid upsetting the skiff and secondly to send it on at speed. It is astonishing to notice the dexterity attained by the Styrian peasants in this respect. There are indeed few prettier sights than that of a peasant girl in the becoming costume of the country propelling one of these tiny boats and endeavouring by the exercise of greater skill to avoid the pursuit which one of the opposite sex relying on superior strength, would at once inaugurate. To watch how, going at a steady pace, she would allow her enemy to come by rapid strokes nearly alongside then suddenly stopping her course, would see him forge far ahead, whilst she skilfully altered her course, to watch him coming on again more furiously, only to be again baffled by some other manoeuvre, until she, the weaker, either returned unconquered, or forcing him to confess his inferiority, paddled on in amity with her late opponent, was a sight that always interested the bystanders, and called forth excited remarks on the capabilities of the rival parties. It is one which to be appreciated should be seen.

Among the other residents at the little inn during the stay there of our travellers were a German lady and her daughter. Very pleasant friendly people were they, the mother especially well informed and clever. In their company many pleasant excursions were made. The daughter was a great swimmer. Almost every day about 11 o'clock she entered the wherry, and pulling out about a mile, turned a

corner, donned her bathing-clothes, and took a header into the lake, leaving the boat to drift. She would however, after a short swim make for it, and getting over the side, would dress and pull again for the shore, looking far fresher and gayer than if she had adorned herself in her own room.

The only drawback to the pleasure of the sportsman at the Grundl lake arose from the absolute veto placed on fishing in its waters. It appeared that these lakes were under the superintendence of one of the Imperial rangers, a certain Herr Brandeis, and this man for some reason of his own had registered a vow that so long as the right lay in his gift, no Englishman should exercise it. This resolve of his was bitterly resented by Grogger and the innkeepers of Aussee for it had the effect of driving Englishmen to other parts of the country, where the authorities were less churlishly disposed. But Brandeis was inexorable. The matter however, has since been brought to the notice of the Austrian authorities, and an order has been issued granting fish licences to all sportsmen on the payment of a *florin per diem*. This churlishness on the part of Brandeis was the only piece of incivility experienced by our travellers in Austria. To Musafir it was of little moment, as the Grundl lake and its neighbourhood were too beautiful to require any extra excitement but of all those who expressed indignation, none came near the old Kanzler. 'Fish without leave,' was his reiterated advice. To have followed it however, would have been to break one of the soundest maxims for all travellers,—never knowingly to infringe the laws of the country in which they may find themselves.

At length it became necessary to leave even the beautiful Grundl lake, and our travellers resolved to drive across the mountains into Bavaria, to the far famed König's See, stopping by the way at the many places worthy of their inspection *en route*. With this object they hired a carriage and pair from Grogger at the rate all expenses told, of a pound per diem and on the 29th June paid farewell to all the kind friends they had made at the Grundl. We use the word friends" designedly, for even in that short period, those honest hearted Styrians whom they had never seen before had become so. Many were the wishes expressed for their speedy return, for their safe journey, for another visit in next year. At last they were off, their road taking them back across the Postchen Joch and as far as the village of St. Agatha. Here they fell in with the road from Ischl, and crossing the Traun, which is here very broad, they ascended for



two miles as far as the Gosau Mill Here the carriage was left, and the travellers proceeded in a boat to the little village of Hallstadt, romantically situated on the lake of that name Here they put up at a little inn called the Gruner Baum (Green Tree), where they found themselves most comfortable

The lake of Hallstadt differs in every particular from that of Grundl Neither so cheerful, nor so beautiful, nor so taking, it has yet a distinct character of its own Surrounded by very high mountains, so high that into one corner of the lake the sun never penetrates—many of them beautifully wooded, some quite bare but all lofty and striking,—the lake of Hallstadt possesses a sombre and melancholy grandeur It is a place to see, but not to live at Nevertheless it has its admirers, and one of its islands boasts even now of a little house built on it by some holyday making Etonians and said to be by them periodically revisited The little town is peculiar, being built up the sides of the hill, it has no roads, nor is there a horse in the place all communication with the mainland is by water The people looked sickly and deformed caused partly probably by their having so little of the sun—for the population of the village on the other side of the lake,—the village of Obertraun—which is under a warm and sunny influence, are remarkable for their health and strength

Near Hallstadt is a waterfall possessing some local renown The walk to it, up a gorge between two mountains, is pretty and picturesque, but the fall itself is rather poor It does not at least constitute the attraction that would draw visitors to Hallstadt That attraction is to be found rather in the majestic grandeur of the mountains and the sombre beauty of the lake

The next day our travellers drove to Golling the last considerable Austrian town, on the direct road to the König's See The first part of the drive from Gosau Mill to Gosau is, from many causes, extremely interesting In the first place it is very pretty the two little lakes at Gosau vying with any scenery in the world To reach these, the traveller branches off the direct road at Gosau, and drives through a clean but scattered village to a very rude little inn kept by the village smith It is advisable for the traveller to take his meal under the trees outside the house, as this place is an exception to the cleanliness for which Austria is otherwise remarkable The people however are simple and honest, and will bring fresh milk and eggs, and will even make that

most delicious and easily prepared of all condiments,—an Austrian omelette After the meal a guide makes his appearance and takes the traveller to the first Gosau lake,—an extremely pretty walk of three quarters of an hour This lake is small, but beautifully situated Near it on one side, rise up the Donner Kugel 8 000 feet high, whose dark grey summits, shaped like thunderbolts seem as though they had fallen from heaven, a little further, the Dachstein, seen here to much greater advantage and in far closer vicinity than at Aussee, shines resplendently, opposite these beautiful woods stretching back to a far distance from the lake There are no houses, no dwelling places on the lake, a small boat-house and a little canoe are the only signs that it is sometimes visited But this view beautiful as it is is as nothing compared to those to be enjoyed during the walk to the further lake This takes the traveller through a most lovely forest, impervious to crinolines with occasional rather rough ascents Ever and anon however the forest seems, as if by enchantment to move aside his leafy screen in order to disclose views of the most enchanting and bewitching beauty In the first place the traveller sees, rising almost from its base the magnificent Donner Kugel, which if not of the Dolomite order, has all the peculiarities by which those mountains are distinguished he approaches to the base of the Dachstein and though this mountain is not visible from the second Gosau lake the glimpses obtained of it during that three hours' walk are marvellous in their beauty Then again the varied foliage contrasts so beautifully with the dazzling snow whilst the bare rocks of dark grey, or others covered here and there with moss and verdure, come to add to the glories of the walk It is indeed a walk that once undertaken is never to be forgotten

The other reason which makes a visit to Gosau interesting is, that it constitutes a small Protestant family in the midst of an overgrown Catholic community In the early part of the eighteenth century, the fathers of the present occupants of the little valley found in it a refuge from the tyranny of the Bishop of Salzburg There in spite of much persecution and repeated attempts at conversion have they since remained firm in their faith To that Protestant faith they still continue devoted, nor in this instance has persistent constancy been without reward For now, to the number of 1,800, they are unmolested on account of their opinions, and possess even a church and pastors of their own

Returning thence, the carriage is once more gained, and the Tannen Gebirg, a fine mountain, (upwards of 8 000 feet)

is passed on the road to Abtenau, its beauties, though probably great, being nothing in comparison with those but now enjoyed. At Abtenau, a simple village, boasting two fair inns, the traveller sleeps, or if he be adventurous pushes three hours further on to Golling. Our travellers did this, being anxious to see Pass Lueg and the famous waterfall of the Schwarzbach.

Waterfalls are not in general worth the trouble of going very far to see, but this of Golling is an exception to the rule. It descends about 300 feet down a nearly perpendicular rock, and is voluminous and grand seen from almost any point. But let the traveller ascend, as he can easily by steps artificially formed to the very summit of the fall and he sees that which surprises him. He sees the water which is to constitute the fall, issuing through a wide orifice out of the very centre of the mountain as though it were flowing under a bridge or tunnel, it then collects in a natural reservoir, and empties itself over the rocks into the stream below. Now the question first arises, whence does this water come? The natural answer is,—from an imprisoned lake within the mountains. Indeed, the people of Golling assert this to be a fact that admits of no dispute, inasmuch as the lake has been navigated for about an hundred yards inside. The next question that suggests itself is this whence is this lake supplied with water? It is incessantly pouring water over the rocks whence comes the fresh supply? It is popularly believed that it is fed by the König's See on the other side of the mountain, and lying at an elevation of 800 feet higher than that of the imprisoned lake. This may well be the case, but it has never positively been proved. Anyhow, the circumstance of a lake being imprisoned within a mountain is curious, and invites thoughts as to the unexplored wonders of Nature and of Man's ignorance regarding them.

Pass Lueg was not on this occasion visited by our travellers, though the succeeding year Musafir atoned for this neglect. The next day they crossed the Austrian frontier near Hallein, and entered the Bavarian mountains.

At this point we break off from the unpublished journal. Not indeed because it is exhausted for the Musafirs found Bavaria and Switzerland not less attractive than Austria. To continue however would cause us to exceed the limits allotted to a single article. Enough we would fain hope, has been extracted to justify the assertion in which we indulged at the outset, that in a journey from India to Europe, the Anglo Indian will find more than a recompense for many years of exile and toil. It is indeed our conscientious conviction that no man so much as the Anglo-Indian,—if not corrupted by the over-accumulation

of wealth or spoilt and enervated by official position,—would enjoy a journey of this nature. To him all is ~~so~~ new, so utterly unlike the routine of the life he has been accustomed to, there is so much variety, not only in the scenery of the country, but in the manners of the people, that whilst his faculty of enjoyment is greatly gratified his mind opens itself to new views to enlarged ideas to instruction, of which he has had but little knowledge. Few will deny that the tendency of a life experience or even of many years' experience, in one particular profession in a daily recurrence of similar scenes is to dwarf the mind and to narrow the intellect. The knowledge that is gained in that particular groove of itself doubtless valuable has even sometimes the effect of unduly exalting that baser sort of pride, which is indwelling in some minds. Because one branch of a profession has been mastered, everything else comes to be despised, other men who may not belong to that profession, are thought to know nothing. It is as an antidote to a poison of this sort that travelling is so desirable. The men who hold such sentiments often require nothing more than the opportunity of opening the eyes of their minds, of seeing that these local questions, all engrossing as they appear, are after all but local that they are but infinitesimal parts of a greater whole that whilst stimulating the baser pride they lower the intellectual capabilities of a man and tend to leave him powerless to enjoy much that is, in the highest sense of the word enjoyable. It is impossible to describe the buoyancy of spirits the elasticity of temperament, experienced by an Anglo Indian who tries this course for the first time. How magically do the wretched local squabbles he has left behind him disappear from his imagination, how paltry and ridiculous they seem, should a letter from India or any chance circumstance recall them! How he laughs when he thinks of the local airs of local dignities, of the tinsel decorations and assumed importance of some of his Indian associates! In a great part of Europe at all events he finds beautiful nature, unaffected manners, and the refined courtesy which is their certain accompaniment. He sees that there prevails at the basis of society a system of equality, tempered not by the official position of the individual, but by intellect and acquirement. He finds out very soon that the stilted airs of officialism are only an impediment to real enjoyment. As these new ideas steal upon him by degrees, he feels accompanying them that buoyancy of heart and elasticity of spirits, of which we have spoken, and he experiences an enjoyment, long unfelt,—the enjoyment

of the beauties of a nature as yet free and unspoilt, and of a society unfettered by social restrictions or by artificial restraints

It has been with the view to place a picture of this nature before our Anglo-Indian readers that we have drawn so largely on the unpublished journal of Captain Musafir. There are, it is true, other routes than those which he followed, more enticing to the pedestrian and the sportsman. That which we have described is only one amongst many of those accessible to ladies but the account of it will show that there is much that is worthy of being visited, something even that might be imitated, in the little explored regions of much abused Austria.

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ART VII—1 *The Last Days in England of the Rajah Rammohun Roy* Edited by Mary Carpenter of Bristol, London, Trubner & Co, Paternoster Row 1866

THE appearance of this work is very opportune. At a time when the Brahmo Somaj is rent by schism and its conservative and progressive elements are struggling for mastery the question as to what were the real religious opinions of its founder, has acquired a new interest, and demands a satisfactory solution.

The most interesting portion of the work under review is that which furnishes us with materials for discussing that question albeit the authoress herself does not grasp it with that perspicuity and impartiality which one in her position might be expected to bear on it. We shall not therefore, hesitate to make such use of them as may be necessary for our purpose. Although not an original or independent work yet as a compilation of various documents letters and accounts her work is valuable, and will prove a great help to the future biographer of Rammohun Roy.

The first chapter of Miss Carpenter's work gives a biographical sketch of Raminohun Roy but it is destitute of anecdotal and personal interest. It relates very little of his antecedents, and gives but an imperfect picture of his early career. In No VIII Vol IV of the *Calcutta Review* the writer of this paper endeavoured to give an account of the parentage education and labours of the great Hindu and he does not therefore think it necessary to reproduce it here. We have perhaps no right to find fault with the authoress for skipping over the early part of his career inasmuch as the task she proposed to herself namely to describe the last days of the Hindu Reformer has been very fairly performed. Indeed the performance does credit both to her head and heart and entitles her to the gratitude of all—and their number is legion—to whom the subject is congenial. The last days of Rammohun Roy, embracing as they do, his short but eventful career in Europe and the evolution of his religious and political proclivities, are indeed fraught with an abiding interest to the natives of India, not less than to those Englishmen who profess something more than a mere personal interest in the progress and welfare of Hindustan.

Rammohun Roy was in the land of his birth, as Miss Carpenter justly observes, a man greatly before his age, and a light shining in thick and impenetrable darkness. Endowed with a bold spirit and a penetrating genius he could not long have remained among the myriad millions who live and die in numinal belief but whose religion is really regulated by the geography of their country or the prejudices of their nursery. Hence, while he was appreciated only by the little band of followers, whom he had enlisted in the cause of religious reform he was denounced and persecuted by the mass of his countrymen. Born and bred in a country immersed in the darkness of superstition he by a proper use of his cultivated understanding discovered the falsity of Hinduism, publicly renounced it, embraced theism and thereby subjected himself to those terrors of excommunication of which we can have a faint idea in this age of comparative enlightenment. He was a *melacha* and a *nastic*—an infidel and an arch preacher of infidelity and as such to be cast aside with one general mark of reprobation. Persecuted at home he turned to England for encouragement sympathy and help for Englishmen had evinced a keen appreciation of his unselfish devotion to the highest interests of his countrymen. He longed to see the country to whose keeping the destinies of his own had been entrusted—the country where philosophy liberty, and science had achieved their proudest triumphs—the country of the Lockes of the Bacons of the Newtons of the Hampdons and of the Watts. By this visit to England he proposed to attain two objects—first, to obtain as he says in one of his letters “by personal observation a more thorough insight into its manners customs religion and political institutions” and, secondly, to seek for help in his efforts to regenerate his fatherland. Without further preface we will now follow Miss Carpenter in her account of the pilgrimage to England of this adventurous enquirer after truth.

The arrival of the illustrious Hindu Reformer to our country was anxiously anticipated by all who had become acquainted with him through the various channels which have been laid before the reader. The nature of his labours, and the distance of the scene of them, naturally prevented his being an object of popular enthusiasm,—nor, if that had been excited in his favour would he have desired the public demonstrations of admiration and respect which were recently accorded to the great Italian patriot. But the reception given to him though of a widely different kind, “must have been no less gratifying to him at the time, and

“ to his countrymen since his departure The highest honours  
 ‘ were publicly accorded to him, and a place was awarded to  
 “ him among the foreign ambassadors at the coronation of  
 “ the sovereign persons the most remarkable for their social  
 “ standing and literary eminence sought his society, and  
 “ highly esteemed the privilege of intercourse with him—he  
 “ was received into our English homes not only as a distin-  
 ‘ guished guest but as a friend—and when he was prostrated  
 “ on the bed of sickness and of death in a foreign land, he  
 “ was surrounded with the most loving attentions, tended  
 “ with the most anxious solicitude and finally laid in the grave  
 ‘ surrounded with true mourners who felt him akin to them  
 “ in spirit, if not connected with him by the ties of earthly  
 ‘ relationship ’

The *Albion* in which he sailed arrived at her destination on the 8th April, 1831 The Rajah landed the same day at Liverpool, and took up his lodging at one of the hotels there His arrival in England where his fame had preceded him, excited a considerable degree of interest It occurred too, at a period of extraordinary fermentation The whole nation had been wrought up into a state of overpowering excitement Reform was then as it is now the one great subject which agitated the whole country Rammohun Roy became a zealous and enthusiastic advocate of the Bill ’ He saw at once the good which this great national measure was calculated, in his opinion to accomplish He was convinced that it was calculated to promote the welfare of England ‘ and her dependencies—nay of the whole world ’ It was under the hospitable roof of Mr William Rathbone that he met the venerable Mr Roscoe his first interview with whom is thus related—After the usual gesture of eastern ‘ salutation and with a mixture of oriental expression ‘ Rammohun Roy said Happy and proud am I—proud and “ ‘happy to behold a man whose fame has extended not only “ ‘over Europe but over every part of the world’ ‘I bless “ ‘God’ replied Mr Roscoe that I have been permitted to “ ‘live to see this day Their conversation chiefly turned upon the objects which had led Rammohun Roy to England and in the course of it he displayed an intimate acquaintance with the political and commercial state of that country

The visit of the Rajah to Liverpool was a very short one from his anxiety to be present at the third reading of the Reform Bill, and at the debates on the subject of India On his departure for London he carried with him the following letter from Mr Roscoe to Lord Brougham—



"I have the great honour and very singular pleasure of  
 "introducing to your Lordship's kind notice and attention the  
 "bearer of this, the celebrated and learned Rammohun Roy  
 "who is just arrived here from Calcutta, and of whom you  
 "must already have frequently heard as the illustrious convert  
 "from Hindooism to Christianity and the author of the  
 "Selections from the New Testament' and of 'The Precepts of  
 " 'Jesus ' by the publication and diffusion of which amongst the  
 "natives of the East reasonable hopes are now entertained, that,  
 "in a short time the shocking system and cruel practices of  
 "Paganism will be abolished, and the people of those populous  
 "regions be restored to the pure and simple precepts of morality  
 "and brotherly love Amongst the many and important motives  
 "which have induced him to leave his country and connections,  
 "and visit this Island I understand he is induced to hope he  
 "may be of some assistance in promoting the cause of the  
 "natives of India in the great debates which must ere long  
 "take place here, respecting the charter of the East India  
 "Company but I have yet seen so little of him, from his  
 "numerous engagements here that I must leave your Lordship  
 "to learn his intentions from himself, which you will find him  
 "very capable of explaining in his own strong and appropriate  
 "English idiom One great reason as I understand for his  
 "haste to leave this for London, is to be present to witness  
 "the great measures that will be taken by your Lordship and  
 "your illustrious colleagues for promoting the long wished for  
 "reform of his native country On the present occasion, I will  
 "not trouble you further than to request that if it should  
 "not be inconsistent with your Lordship's station and con-  
 "venience you would obtain for our distinguished visitor  
 "the benefit of a seat under the gallery in the House of  
 "Commons, on the debate on the third reading of the Reform  
 "Bill which favour I am anxious he should owe rather to your  
 "Lordship (if you have no objection to it) than to other  
 "individuals to whom, I understand, he has letters of intro-  
 "duction '

The purity and loftiness of his religious ideas and his freedom  
 from sectarianism endeared Rammohun Roy to a large section  
 of Christians in England, who eagerly sought to do him honour  
 He was warmly welcomed by them as a fellow labourer, and  
 received by them with every mark of deep and heart-felt  
 respect Soon after his arrival in London, he attended a  
 meeting of the Unitarian Society, convened to give him a  
 welcome. On his appearance on the platform, he was intro-  
 duced as the "Apostle of the East," and was thus cordially

greeted by the Reverend Robert Aspland, who presided on the occasion ' Our illustrious friend (for such I trust he will ' allow me to call him) will permit me to state that his ' presence creates among us a sensation which he perhaps will ' hardly understand It does so because in his person and ' example we see an instance of the power of the human ' mind in recovering itself from the errors of ages, and ' because so we conceive that we see in him with his intelligence and character one of the best and most disinterested of the claims of Unitarianism to be the original ' Christian doctrine

Dr Bowring (now Sir John Bowring) in moving the resolution tendering a cordial welcome to the Hindu Reformer made the following pertinent remarks —

" I feel it is a very signal honour to have entrusted to my ' care a resolution the object of which is to welcome our ' illustrious oriental friend and to communicate all we feel ' and hope towards him I ought not to say all we feel and ' hope, for I am sure that it is impossible to give expression ' to those sentiments of interest and anticipation with which ' his advent here is associated in all our minds I recollect ' some writers have indulged themselves with inquiring what ' they should feel if any of those time honoured men whose ' names have lived through the vicissitudes of ages should ' appear among them They have endeavoured to imagine ' what would be their sensations if a Plato or a Socrates, ' a Milton or a Newton were unexpectedly to honour them ' with their presence I recollect that a poet who has well ' been called divine has drawn a beautiful picture of the ' feelings of those who first visited the Southern Hemisphere, ' and there saw, for the first time that beautiful constellation, ' the Golden Cross It was with feelings such as they underwent, that I was overwhelmed when I stretched out in your ' name the hand of welcome to the Rajah Rammohun Roy ' In my mind the effect of distance is very like the effect of ' time, and he who comes among us from a country thousands ' of miles off, must be looked upon with the same interest as ' those illustrious men who lived thousands of years ago ' But in the case of our friend his coming may be deemed an ' act of heroism of which the European cannot form a just ' estimate When Peter the Great went forth to instruct ' himself in the civilization of the South,—when he left the ' barbarous honours of his own court to perfect himself in ' ship-building at Saardam, he presented himself to the public ' eye in a more illustrious manner than after any of his most

"glorious victories But Peter had to overcome no prejudices, he had to break down no embarrassments for he knew that he had left those who were behind him with an enthusiasm equal to his own and he knew that he would be received by them when he should return with the same display of enthusiasm Our illustrious friend however has made a more severe experiment he has ventured to accomplish that which perhaps none other connected as he is with the highest honours of the Brahminical race ever attempted he has ventured to do that which would have been regarded with incredulity ten years ago, and which hereafter will crown his name with the highest honour

'Sir, I move with great pleasure That the members of this Association feel a deep interest in the amelioration of the condition of the natives of British India that we trust their welfare and improvement will never be lost sight of by the Legislature and Government of our country that we have special pleasure in the hope that juster notions and purer forms of religion are gradually advancing amongst them and that our illustrious visitor from that distant region the Rajah Rammohun Roy be hereby certified of our sympathy in his arduous and philanthropic labours of our admiration of his character, of our delight at his presence amongst us, and of our conviction that the magnanimous and beneficent course which he has marked out for himself and hitherto consistently pursued will entitle him to the blessings of his countrymen and of mankind, as it will assuredly receive those of future generations '

Dr Kirkland late President of Harvard University United States, seconded the resolution In adopting it, the assembly rose in unanimous approbation of its object

Rammohun Roy acknowledged the compliment in the following memorable terms — 'I am too unwell and too much exhausted to take any active part in this meeting but I am much indebted to Dr Kirkland and to Dr Bowring for the honour they have conferred on me by calling me their fellow labourer, and to you for admitting me to this Society as a brother and one of your fellow labourers I am not sensible that I have done anything to deserve being called a promoter of this cause but with respect to your faith I may observe, that I too believe in the one God, and that I believe in almost all the doctrines that you do but I do this for my own salvation and for my own peace For the objects of your Society I must confess that I have done very little to entitle me to your gratitude or such admiration of my

“conduct What have I done?—I do not know what have I done!—If I have ever rendered you any services they must be very trifling—very trifling I am sure, I laboured under many disadvantages In the first instance, the Hindus and the Brahmins, to whom I am related are all hostile to the cause, and even many Christians there are more hostile to our common cause than the Hindus and the Brahmins I have honour for the appellation of Christians but they always tried to throw difficulties and obstacles in the way of the Principles of Unitarian Christianity I have found some of these here but more there They abhor the notion of simple precepts They always lay a stress on mystery and mystical points, which serve to delude their followers and the consequence is, that we meet with such opposition in India that our progress is very slight, and I feel ashamed on my side that I have not made any progress, that might have placed me on a footing with my fellow labourers in this part of the globe However if this is the true system of Christianity it will prevail notwithstanding all the opposition that may be made to it Scripture seconds your system of religion, common sense is always on your side while power and prejudice are on the side of your opponents There is a battle going on between reason Scripture, and common sense and wealth power and prejudice These three have been struggling with the other three but I am convinced that your success sooner or later is certain I feel over exhausted and therefore conclude with an expression of my heart felt thanks for the honour that from time to time you have conferred on me, and which I shall never forget to the last moment of my existence

The religious sympathy evinced towards Rammohun Roy by the Unitarians of England must have been refreshing to his spirit and compensated in no inconsiderable degree for the persecutions to which he had been subjected in India While in “London,” says Dr Carpenter he repeatedly attended the worship of the Unitarians, at their different chapels in or near the metropolis, and he twice attended their anniversary meetings but it was his system to avoid so far identifying himself with any religious body, as to make himself answerable for their acts and opinions, and he also wished to hear preachers of other denominations who had acquired a just celebrity He appears to have most frequented the church of the Rev Dr Kenny (St Olave’s, Southwark), who peculiarly interested him by the Christian spirit and influence of his discourses ”

While in London Rammohun Roy had the satisfaction of seeing the appeal of the *Dharmasabha* against Lord William Bentinck's edict for the abolition of *Suttee* rejected by the Privy Council, and the Charter Act for India passed by the Parliament. As a patriot and a politician he rejoiced in these measures for he was both in the truest sense of those words and needed but a larger stage to rank in sober reality with the foremost statesmen of the age.

It was however as a philosopher and a reformer that he was sought after and prized by intellectual and thoughtful men in England. The following interesting anecdotes illustrate his views on philosophical and religious subjects. The first is from the pen of Mr Recorder Hill — I only met the Rajah Rammohun Roy once in my life. It was at a dinner party given by Dr Arnott. One of the guests was Robert Owen, who evinced a strong desire to bring over the Rajah to his socialistic opinions. He persevered with great earnestness, but the Rajah who seemed well acquainted with the subject, and who spoke our language in marvellous perfection answered his arguments with consummate skill until Robert somewhat lost his temper, a very rare occurrence which I never witnessed before. The defeat of the kind hearted philanthropist was accomplished with great suavity on the part of his opponent.

The next is from a lady acquaintance of the Rajah —

"At a small evening party at my house in Grenville Street, principally to meet the Rajah he referred to the doctrine of Original Sin in a way that startled a lady of the Church — a very charming and amiable woman — who had brought her daughter. 'But surely, Sir,' she exclaimed, 'you do believe in original sin?' He looked at her and she blushed deeply. After a minute he seemed to comprehend the whole, and very gently inclining he said, 'I believe it is a doctrine which in many well regulated minds has tended to promote humility, the first of Christian virtues for my own part, I have never been able to see the evidence of it.'

In compliance with the reiterated invitation of Miss Kiddell, Rammohun Roy went to Bristol early in the month of September, 1833. He put up at Stapleton Grove, the residence of Miss Kiddell and her ward Miss Catherine Cassell. He was accompanied by Miss Hare the niece, and not, as Miss Carpenter supposes, the daughter of David Hare, the father of native education in Bengal, he was attended by his two Hindu servants, Ramrutton Mookerjee, afterwards Deputy

Collector of Moŕshedabad, and now residing at Maniktollah, and Ramhurry Doss, now Head Gardener of the Maharajah of Burdwan. The fame of the services rendered by the Hindu Reformer to the cause of Unitarian Christianity in India had preceded him in Bristol about eight years before his arrival there when an appeal on behalf of that cause had been made to the congregation and had been responded to most liberally. It is, therefore, small wonder that his appearance in Lewin's Mead Chapel was warmly welcomed. He visited also other places of worship and while engaged in public devotion there he was wont to read some of Dr Watts's hymns for children, and he frequently dwelt with great interest on the following verse —

Lord ! how delightful tis to see  
A whole assembly worship Thee  
At once they sing at once they pray  
They hear of heaven and learn the way

On the eleventh September of 1833 a large party was invited by Miss Kiddell to meet Rammohun Roy at Stapleton Grove. The conversation was animated and protracted and elicited the Rajah's various talents, breadth of view and grasp of mind, calling forth the admiring respect of the company. It is thus described by Dr Carpenter ' In the " conversation at Stapleton Grove were men fully competent " to judge of intellectual power and one and all admired and " were delighted by the clearness, the closeness and the acute " ness of his arguments, and the beautiful tone of his mind. In " the second of the two conversations at which Mr Lister was " present the Rajah continued for three hours standing the " whole time replying to all the inquiries and observations that " were made by a number of gentlemen who surrounded him, " on the moral and political state and prospects of India " and on an elucidation at great length of certain dogmas of the " Indian philosophers '.

Among the dogmas of the Indian philosophers which formed the theme of conversation was the doctrine of Absorption. There being a general desire among some of those who heard the Rajah to know more of the doctrine, Mr Shephard the author of many valuable devotional works addressed to him a letter, dated Richmond Terrace, Clifton September 17th, 1833, in which he asked his correspondent to enlighten him and his friends on the real opinions of those philosophic Hindus who seek absorption as the chief good. He thus stated the object of his enquiry " I conceive it may " be briefly put thus — Do they believe that there may be

“consciousnesses, or a *plurality* of consciousness\* (indivisibly) in  
 “the One Total of happy Being?—or—Do they believe that  
 “there can be but *one* consciousness in that One Total of happy  
 “Being? Only the former of these suppositions seems to require  
 “being illustrated. If *that* be the tenet, it appears to me to  
 “imply that the Absorbed though no longer properly an *I* or  
 “*human* person, may still somehow *soliloquize* or rather  
 “think or utter its undivided strain in the Divine *omniloquy*  
 “as thus—‘That which was *I*, but is rejoicingly not *I*, exists  
 “but also fully in-exists and has its undivided being or in-  
 “being in the Universal Mind. It meditates with the whole, *is*  
 “of the whole is blest with and in the whole. The interposed  
 “and dissoluble which parted the unity and continuity of the  
 “Divine *Substance* is gloriously removed. The substance which  
 “was *I* is now not *itself* (though it exists) for it is continuous  
 “with the whole Divine Self. It has no will, but a mode  
 “of the universal will no thought but a mode of the whole  
 “thought of the ‘*I am*. If such be the tenet, however in  
 “conceiveable or dimly conceiveable (by us at least) such a  
 “sort or modification of consciousness may be, it is neverthe-  
 “less not unconscious being to which those philosophers aspire,  
 “but a *mode of conscious inexistence or inbeing*’

The solemn query propounded in this letter never received an answer for he to whom it was addressed was prostrated on a bed of illness from which he did not rise on this side of eternity. In the course of the conversation at Stapleton Grove, respectful enquiries concerning his religious opinions were addressed to him. To these he freely and frankly replied. After his death which melancholy event took place soon after the Stapleton Grove party Dr Carpenter wrote to Mr John Foster, the well known Essayist, and to Dr Jerrard, the Principal of Bristol College to request them to express their opinions from what they had heard in conversation with the deceased, as to whether he believed in the divinity of Christ and the resurrection and miracles. Mr Foster replied that Rammohun Roy had expressed his belief in the resurrection of Christ, and in the Christian miracles generally, and added ‘at the same time he said, that the *internal* evidence of Christianity had been  
 “the most decisive of his conviction. And he gave his opinion,  
 “with some reasons for it, that the miracles are not the part of  
 “the Christian evidence, the best adapted to the conviction of  
 “sceptics.” Dr Jerrard sent Dr Carpenter the following  
 “brief answer —“The Rajah Rammohun Roy expressed his  
 belief in the divine authority of Jesus Christ, as an accredited

" messenger from God. He explicitly declared that he " believed in the miracles of Christ generally, and particularly ' in his resurrection, which he said was the foundation of the " Christian faith, and the great fact on which he rested his " own hopes of a resurrection ' Mr Estlin, the Surgeon who attended the Rajah on his death bed, thus jotted down in his journal — The Rajah said he had denied the divinity " of Christ but not of his commission '

This is all the evidence which Miss Carpenter adduces to prove that Rammohun Roy was a Christian If by this it be meant that he was a thorough going Bible Christian we are afraid her position is untenable, but from a careful consideration of the testimony afforded by his writings and his life, we have no hesitation in declaring our conviction that he was a Christian in the highest acceptation of the term, inasmuch as he tried to realize Christ in himself

Rammohun Roy did not believe in the infallibility of the Bible He did not believe in the deity or divinity of Christ, but he believed that Christ was an inspired teacher of righteousness, and taught on the authority of the most high God, and that what he taught was the Father's doctrine, not his He regarded Christ as the greatest Reformer of the world, and the greatest soul of all the sons of men one before whom the majestic mind of a Vyas and a Shankaracharya a Kubeer and a Nanuc, a Ramanund and a Chaitanaya must veil its face He believed not that Christ was God, but that God's word was in Christ

Rammohun Roy might have possibly believed in the Christian miracles but the same authority which makes this statement also assures us that he considered that ' the miracles " were not the part of the Christian religion the best adapted ' to the conviction of sceptics and that the *internal* evidence " of Christianity had been the most decisive of his conviction " It is therefore manifest that Rammohun Roy believed that the doctrines of Christianity, like the truths of Astronomy and Geology rested not on the personal authority of the teacher but on their own authority on the authority of absolute truth They rested not in his opinion, on miracles, for if they did, Christianity would be in the same position as Hinduism, which he had denounced as a false religion He thought that the more superstitious a nation was the stronger was the claim to miracles. The Hindus tell us that the Vedas were breathed out by Brahma, and are a miracle, and that Vyas, the author of the Vedant had miraculous inspiration, visions, and revelation The Mahomedans likewise



tell us that the Koran is a miracle, and that Mahomet held frequent communion with the spiritual world. In the religion of the Coles, the Koonds, and the Kareens, all is miracle and its authority according to miracle mongers ought to be the best in the world. Rammohun Roy knew and felt that in resting Christianity on this basis, he would rest it on the same foundation not only with Hinduism and Mahomedanism, but with the lowest form of Polytheism and Fetichism. If Rammohun Roy believed in the Christian miracles at all he must have believed only in their possibility not as transgressions of all law which God has made, but in their conformity with some law out of our reach. He must have regarded them as modes of divine manifestation not understood by man. Viewed in this light, life and death, mind and soul, are miracles.

We are free to confess that from his attendance at their chapels and his known bias to their doctrines, the Unitarian Christians of England had some sort of right to claim him as a co-religionist. In the same manner the special patronage, which he thought proper to bestow on Vedantism, made it more than probable that he was a Vedantist. The laudatory terms in which he was accustomed to speak of the doctrines of Mahomet were calculated to produce an impression that he was a believer in the Koran. But it would be waste of time to argue that he was not a Mahomedan. Neither was he an Unitarian Christian as the testimony of Dr Carpenter himself already quoted proves that while in London although he attended the Unitarian chapels, yet *it was his system to avoid so far identifying himself with any religious body as to make himself answerable for their acts and opinions*. We would go further and say, though it may startle and scarify the Brahmos of the old regime that he was not a Vedantist. In truth all speculation as to his belief in any religion founded on his advocacy of certain doctrines inculcated by it or his attendance at its place of worship are obviously futile. Rammohun Roy was essentially a Theist. He was as we observed in the pages of this *Review* more than twenty years ago, a religious Benthamite, and estimated the different creeds existing in the world, not according to his notion of their truth or falsehood, but by his notion of their utility according to their tendency, in his view to promote the maximization of human happiness, and the minimization of human misery. His patronage, therefore, of any system of creed cannot be construed into a profession of it. He endeavoured to refine all gross and idolatrous systems into a

system of pure monotheism Clear, subtle, daring, and deep, he aimed at revolutionizing the religious world Endowed with the faculty of generalization and animated by an earnest desire to sift and proclaim the truth he had critically studied the Bible, the Koran, and the Vedas He had arrived at the conclusion that the Vedas inculcated pure monotheism and the idolatry practised by his countrymen was a corruption of the ancient faith He had publicly renounced that idolatry and declared it his mission to exterminate it and to resuscitate the primitive and rational religion of the Vedas He had learnt to appreciate the code of morality inculcated in the Bible as the purest and loftiest and he had done his best to expound and promulgate it to his countrymen His three Appeals to the Christian Public his Exposition of the Upanishads and his Persian work *Tokufatal Mowahedeen* attest the consummate ability and unwearying zeal with which he enforced monotheism as the substratum of the three principal religious systems of the world His great object was to engraft a kind of universal Unitarianism on the prevailing religion of his country But we have said that he was not a Unitarian his Unitarianism was essentially different from that of the Channings and the Carpenters the Priestleys and the Parkers His was a sort of Catholic Unitarianism It was philosophical theism It was Natural Religion, which so many philosophers of ancient Greece and Rome followed His advocacy and support of the cardinal doctrines inculcated by different religions though it might apparently evince his vacillation was in truth the result of Utilitarianism But while he advocated the monotheistic principles of the Bible, the Vedas and the Koran he spared no system of idolatry With a moral courage rarely to be met with among Hindu reformers he denounced the idolatrous prejudices of Hinduism, Mehomedanism, and Christianity with merciless, but impartial severity

This uncompromising and unsparing iconoclast, while striving to eliminate superstition and hero worship from the religious systems he had studied failed not to extract from them the simple and saving truths of monotheism

It has been urged by some that Rammohun Roy had no positive religious convictions whatever but was merely a free thinker But his whole life is an entire refutation of this charge True he belonged to no existing sect nor did he seek to inaugurate a new system of religion The great ambition of his life was to promote love to God and love to men This he tried to effect by bringing together men of existing persuasions, irrespective of all distinctions

of colour and creed into a system of universal worship of the One True and Living God. This object is indicated in unmistakable language in the Trust-Deed of the Brahmo Somaj: 'The said message or building, land, tenements, hereditaments, and premises, with their appurtenances, to be used, occupied, enjoyed applied, and appropriated, as and for a place of public meeting of all sects and descriptions of people without distinction, as shall behave and conduct themselves in an orderly sober religious, and devout manner for the worship and adoration of the eternal, unsearchable and immutable Being who is the Author and Preserver of the universe, but not under or by any other name, designation or title peculiarly used for and applied to any particular being or beings by any man or set of men whatsoever and that no graven image statue, or sculpture carving painting picture, portrait or the likeness of anything shall be admitted within the said message building land tenements hereditaments, and premises." It is therefore manifest that what Rammohun Roy wanted was not unity of creed or the creation of a separate religious community like that of the Brahmos but to spread monotheistic worship to establish a universal church where all classes of people—Hindus, Mehomedans, and Christians,—would be all alike welcome to unite in the worship of their supreme and common Father. He was sincerely and unaffectedly religious. His was one of those happy and uncommon natures which could embrace all that is good in latitudinarianism, its fervent piety and its large philanthropy.

It is not our province to discuss the truth or falsity of the faith held by Rammohun Roy. We are not the apologists but the exponents of that faith. Rammohun Roy recognized no special or book revelation. He held a record of religious truth revealed by God to man to be a moral impossibility. He fell back for such truth on the book of nature. He believed that the evidence of the existence and attributes of the Deity are written in the material as well as the moral world, in the frame work and constitution of external nature as well as in the intuitions of the human mind. He denied Original Sin and Depravity as his incisive answer to the lady already quoted shows. Though he recognized no inspired mediator or saviour, yet he believed that whenever a person with such claims has appeared, his inspiration has been the result of the beneficent impulse communicated by the Great Beneficence in proportion as the lessons He has inculcated have been wise and effective. He believed that the great business of his faith was to rest on

the greatness and goodness of God. He also believed that the great First Cause of the universe is a wholly good, just, and beneficent Being, free and distinct from His works. He believed, as he himself preached that "the Omnipotent God "who is the only proper object of religious veneration, is one and "undivided in person " that ' in reliance on numerous promises "found in the sacred writings we ought to entertain every hope ' of enjoying the blessings of pardon from the merciful Father "through repentance, which is declared the only means of "procuring forgiveness for our failures ' and that He leads "such as worship him in spirit to righteous conduct, and "ultimately to salvation, through his guiding influence which "is called the Holy Spirit '.

We have now seen how Rammohun Roy has stood forth in advance of his age and has left on it a mark which will not be easily effaced. He was the Liberator of his country from prejudice and superstition—the great Teacher from whom his countrymen were to learn to emancipate themselves from the fetters of a false religion and to worship the one true and living God. The impetus which he communicated to the national mind is bearing it onward. Let us trust that the intellectual and moral training of the rising generation of the Hindus may land them in that position of protest against idolatry, which Rammohun Roy took as the foundation of his creed. Let us trustfully and devoutly anticipate the day when the bitterness of sectarianism shall have ceased and when one faith shall have brought all nations of the earth into that happy union which is in the present day the dream of many Christians, and which was certainly not one of the least fervent aspirations of Rajah Rammohun Roy.

## ÆT VIII.—BISHOP COTTON

THE sudden call from this earthly scene of a good man, unselfishly and earnestly labouring for the welfare of his fellow-creatures, is an event calculated at all times to arrest the attention, and to call forth the public sorrow of a community. Much more is this result likely to be produced when the position occupied by the departed has been one of great influence and high dignity—a position giving opportunities for the exercise of the greatest virtues inculcated by the doctrines of Christianity. Those who had watched the career of the late Bishop Cotton in this country would therefore have been prepared doubtless for the expression of private lamentation for his loss which has echoed among the various European communities and in almost every European family, throughout India but we question very much if even the most intimate friends of the Bishop in the least degree expected that spontaneous outburst of regret that sympathy and condolence with his nearest sorrowing relatives which the news of his sudden demise evoked from the educated natives of Bengal. This, at least is a testimony to the character of Bishop Cotton to his sterling large hearted philanthropy, to his truly catholic spirit which his surviving friends may regard with real and profound satisfaction. It is the testimony, the unbought and unsought for testimony of the non Christian portion of the community among which he lived to the practically Christian character of his life and doctrines. It is an evidence of the fact how truly how completely, Bishop Cotton had grasped the entire spirit of the teaching of the great Apostle of the Gentiles—not hiding his own faith nor losing an opportunity of impressing it upon his hearers, but labouring in that catholic and Christian spirit which spoke in the Apostle when he directed those to whom he wrote to ‘give none offence, “neither to the Jews nor to the Gentiles” and when he declared, “if meat make my brother to offend, I will eat no flesh while the world standeth, lest I make my brother to offend.” Characters such as these have always been and must be rare the more therefore are they prized and appreciated. They are the salt of the earth,—the men who see even in the worst of their fellow men some point of character to be

appreciated and worked upon, some grain of goodness overlooked and neglected by the multitude. It was the working of this large catholic spirit that called forth very recently from a member of the Free Church of Scotland,—one in whose eyes the forms and hierarchical system of the English Church find but little favour,—the appropriate remark, that Bishop Cotton was peculiarly adapted to be the representative of English Christianity in this country and the admission, that to him the members of all Protestant communities in India looked as their natural head. To a mind constituted as was his, there was ever present the great end of his mission to this country to do good to all independently of class or creed—to provide education for his own countrymen and to place before the natives of India examples of the tendency of the practice not the mere profession of Christian doctrines to purge the individual of his vices, and to improve the national character. Working, thus silently appreciated by all looked up to by all classes of Protestant Christians, as well as by the educated natives of India his presence in this country whether at the metropolis or engaged on his tours inspired a confidence and security in the public mind, which personal communication with the Bishop tended only to confirm. It was not only that he was accessible, of refined and courteous manners great scholarly acquirements and vast information on matters of general interest but he invariably brought to bear upon all subjects submitted to him the same good sense keen knowledge and large-hearted comprehensive views by which his public administration was characterised. If occasionally his pen has been taken up to join in some of the public controversies which have agitated India during the past six years it has been to employ it generously in the service of the masses, or in advancing the cause of the general good. To the pages of this *Review* he was a frequent contributor. His clear sparkling style almost invariably indeed betrayed the authorship, but the subject to which he devoted himself were those which all would have been proud to advocate. The progress of education, its promotion amongst the masses were the main subjects of his advocacy. To his earnest and continued support do they owe much of the success they have attained. He was not indeed spared to witness the full harvest he always looked forward to but we are confident that when that happy time shall arrive, there will be none amongst those who were his fellow labourers, and who may then have succeeded him in his advocacy, who will hesitate to admit the vast debt which the cause of education in India owes to the multifarious exertions of Bishop Cotton.

We have mentioned that the Bishop was a contributor to this *Review*. To it he was something even more. He was ever anxious that it should worthily represent the intellect of the European community in India—that it should aspire to a higher position than that of being a mere vehicle for the discussion of local questions, though these should not be lost sight of, but that it should take up subjects of literary, historical and scientific interest connected with India. He regarded it indeed as a duty incumbent especially upon the younger members of the services, whose leisure hours were more at their own disposal to improve their acquaintance with Anglo Indian subjects, by qualifying themselves to write upon them. It is partly on this account, partly because our admiration for his character and our regret for his untimely end seem to demand it at our hands that we are unwilling that this—the number of the *Review* next following his death,—should appear without a short notice of his career. Imperfect it must be for we write at a distance from the spot where, alone in India questions regarding him could be put and answered but through the data kindly forwarded to us, the record, though imperfect will at least be accurate.

Bishop Cotton was born in 1813,—the son of Captain Thomas Wavenant Cotton, 7th Fusiliers. He was educated at Westminster. From that school he was transferred as a Westminster scholar to Trinity College Cambridge, in the month of June 1832. His industry and abilities must have been even then remarkable, for it is recorded that in the three following years he attained successively the first place in the College examinations. In the last year of the three 1835 prizes were likewise awarded him by the College for the second English declamation and the best English essay as well as one of those annually given to the best readers in Chapel. In 1836 proceeding to the degree of Bachelor of Arts he was placed among the senior optimes of the year, and subsequently in the first class of the classical tripos. Two years later, in the month of October, 1838, he was elected, after examination, Fellow of Trinity\*.

A college career, so successful, seemed to presage well for the future of Mr. Cotton the more so because, in addition to his industry and acquirements he had won the respect of all with whom he had come in contact by his clear vigorous understanding, by his high moral and religious character, and by

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\* Dr. Vaughan, late Head Master of Harrow remarked at a subsequent period,— I well remember the strong impression made upon the minds of the examiners by the attainments and ability shown in his papers.

the uniform and exemplary correctness of his conduct. Probably, in the choice of a profession he was influenced mainly by the ambition, the noblest of all aspirations, to be of service to his fellow-creatures, and it can scarcely be doubted that he felt that he could best carry out this aim by inculcating on the rising youth of England sound principles of action. His own college experience, as well as the historical and philosophical deductions which his thoughtful and eminently practical mind had led him to draw must have shown him how much the future of a nation depends upon the training of its youth. It had happened too that just at that period the spirit of the thoughtful community of England had been greatly influenced by the teachings and writings of Dr Arnold. The manly tone and practical character of those teachings and writings produced their natural effect on one so alive to the practical, and with whom manliness and directness of purpose were first principles. Although, therefore Mr Cotton entered the church he did not choose a parochial career but accepted the year after his ordination, the office of tutor at Rugby under Dr Arnold.

The next fifteen years of his life were spent by Mr Cotton in this chosen sphere of labour. The good which may be effected by one occupying such a position cannot always be accurately judged of at the time. It may be more correctly estimated by the after career of those whose character he may have been able to influence. Nevertheless some conclusion may be drawn from the expressed opinion of contemporaries who may have witnessed the working of the system adopted. The opinion of Dr Arnold himself on such a subject is at least worthy of being recorded. He it is stated on excellent authority valued most highly Mr Cotton's attainments as a scholar and skill and tact in teaching, and regarded it of special importance that he had, as a coadjutor, one who so thoroughly sympathized with his spirit. By others the warm attachment to him of many of his pupils, the influence he gained over them, the fact that they acquired from his teaching not only intellectual advancement, but improvement in moral and religious feeling, his popularity among his fellow masters, his religious consistency, his wise prudence, his unwearied industry, his single-minded devotion to his work, his freedom from narrow prejudices, his readiness in the discrimination of character were remarked and recorded. His scholarly attainments are best testified to by the fact that when Mr William Smith the translator of "*Niebuhr*," was engaged in the important undertaking of editing a dictionary of Greek and Roman biography,—the articles for which were to be contributed by the best scholars of the

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English and Continental Universities,—on the recommendation of the late Chevalier Bunsen, the Prussian ambassador, who spoke of him in the highest terms, he applied to Mr Cotton for assistance. Mr Smith, in his letter to the trustees of King Edward's School, Birmingham mentioning this circumstance, added,—‘from the contributions which I have received from Mr Cotton I am convinced that he is an accurate and well read scholar, and is likely to attain high literary eminence. I may perhaps be allowed to state that I know that the late Dr Arnold had the highest opinion of Mr Cotton's scholarship and literary attainments, and considered him one of the best teachers we have.’

But perhaps the best testimony to the merits of Mr Cotton as a teacher to use the word in its broadest sense, consists in the letters received by him from the parents, or, in after life, from the pupils themselves. Letters of this nature were written to him by the late Bishop of Ripon by the Bishop of Llandaff, by Dr Lushington, by Sir Edward Parry, and many others.

From these we select at random two which however express the spirit of the whole. I am sure wrote Sir Edward Parry, ‘that the parents of many boys who have enjoyed the privilege of being in your house and under your tutorage, would willingly testify the obligation under which they lie to you as a scholar, a gentleman and a Christian while the remark able hold you have gained on the affections of your pupils convinces me of your peculiar fitness for the more extended responsibility to which you now aspire.’ The Venerable George Hodson, father of Hodson of Hodson's Horse, thus expresses himself ‘I have known Mr Cotton personally for several years. Two of my sons have successively been inmates of his house at Rugby the younger of them for upwards of five years previous to his going to the University at Christmas last.’

Worthy of being added to these and especially interesting to those who have seen Bishop Cotton earnestly striving in this country in the cause of education, is the testimony of the present Bishop of London, given to Mr Cotton on the occasion of his standing for the Head Mastership of King Edward's School. ‘I have had daily opportunities now for upwards of five years, in my situation here, of observing Mr Cotton's fitness for such an office and I have no hesitation in saying, that there is no one I have ever met with to whom I would more gladly entrust the education of any son of my own. I believe him to be a truly religious man, and especially to have both the

"desire and the power to apply his religion in the practical  
 "work of education I have always been particularly struck  
 "with his faculty for acquiring influence of the best kind over  
 "his pupils So much so, that if he leaves Rugby I feel  
 "certain that we shall have sustained a loss on this point which  
 "it will be extremely difficult, if not impossible to supply  
 "Certainly it is remarkable how many of the senior boys under  
 "his care have shown a seriousness and staid character unusual  
 "at their age ' Again, "I can speak in very high terms of  
 "Mr Cotton's qualifications as a teacher He is a good disciplinarian  
 "at the same time that he appears to be uniformly  
 "kind to his boys He is a sound scholar and takes an interest  
 "not only in classical literature generally but in the minutest  
 "details of scholarship as is shown by his translation of Professor  
 "Lucas German treatise on the Homeric Greek He  
 "always appeared to me to take a lively interest in modern  
 "as well as ancient literature and thus I should think he would  
 "never neglect that very important part of a teacher's duty  
 "the continual study to improve his own knowledge and taste  
 "and he appears well able to interest his pupils in the communication  
 "of what he knows He has a remarkable capacity  
 "for work being able to accomplish a great deal without any  
 "apparent effort by his habits of regularity and steady  
 "application The duties of his office here are very laborious  
 "they are always well performed and always apparently  
 "without any hurry or extraordinary labour In other respects  
 "Mr Cotton seems to have several qualities especially required  
 "in such a post as that to which he aspires His earnestness  
 "in religion is perfectly free from bigotry *he is indeed one of the  
 most truly liberal minded men I have ever met with In the  
 management of any great system of education entrusted to his  
 care he would be sure to look out on all sides for improvements*  
 "His conciliating manners and real kind heartedness would be  
 "sure to secure the affectionate regard of those with whom he  
 "was called to act." This testimony is the more valuable  
 inasmuch as at the time of making it Dr Tait was Head  
 Master of Rugby and had therefore enjoyed peculiar opportunities  
 of becoming acquainted with the actual working of  
 Mr Cotton's system and his personal character and qualifications  
 Two years later when reprinting the same testimonial  
 for another purpose Dr Tait added, 'Everything that has  
 "occurred since that time has tended to increase rather than to  
 "diminish the respect and regard which I have felt for you.  
 "If you were elected as my successor, I feel confident that  
 "that system of conducting the school, which has now stood

"the test of more than twenty years, would be safe in your hands."

We did not intend to select further from contemporary masters. The language used by Mr J C Sharp of Balliol College, Oxford, and one of the masters of Rugby, expresses so clearly, however, the opinion which those who best knew Bishop Cotton in this country formed of his character, that we cannot refrain from extracting it. "An almost daily intercourse with Mr Cotton for the last three years," writes Mr Sharp, "during which I have seen him in a position very similar to that to which he now aspires, enables me to speak of his qualities as a teacher not from conjecture, but from actual experience. I am convinced that there is nothing in this school more valuable than his whole character and the spirit in which he works. Soundness of judgment, even balance of intellect, accurate mental habits, power of reproducing knowledge clearly, and placing before others the result of his own study—these are among his more obvious gifts as a teacher. But those who know him best feel most that these are raised much beyond their natural value by the moral qualities which pervade them. Others no doubt have dealt fully on these his higher merits. I desire to add one testimony more—to his candour and open heart for truth,—to his singleness of purpose and deep conscientiousness,—to his unusually strong interest in boys and their welfare, witnessed by the affection so many of his pupils bear him and to his simple devotion to the work in which he is engaged. When first I came to Rugby, the visible influence of his character on the boys in his own house struck me forcibly. Nor was this a transient influence the seriousness of character which, amid many individual differences marks out so many of his pupils now in the universities bears stronger witness than words can do to the source whence it comes."

The letters, which Mr Cotton received from his pupils, after they had won honours at the universities, and entered on their several callings, breathe, one and all, a feeling of earnest gratitude for his zealous, indefatigable, and painstaking care, for the mental training to which he had subjected them. Of the value of this training they became in after years fully convinced, and there was not one amongst those educated under his roof, and who attained afterwards to eminence, who did not trace his rise to the affectionate solicitude and power of communicating knowledge by which Mr Cotton's career as master at Rugby was characterised.

Neither in his candidature for the Head mastership of King Edward's School, Birmingham nor in that for the Head mastership of Rugby was Mr Cotton successful. For the second post the choice fell upon Dr Goulburn to whom till then he had been a stranger. A little more than two years after, however Mr Cotton was elected to the Head mastership of Marlborough College. In transmitting his name to the Council of that college Dr Goulburn thus wrote of the opinion he had formed of Mr Cotton's merits after two years close intercourse, and experience of Mr Cotton's working under himself as Assistant-master.

The Rev G E L Cotton has been for several years an Assistant-master of Rugby School. During the two last years I have had the great pleasure and privilege of being acquainted with him. Reluctantly and disinterestedly I write in his commendation for there is no one connected with Rugby School who does not feel for him an affectionate veneration and who is not convinced that in losing him, the school will sustain a loss which can hardly be repaired.

To begin with the highest point of all—I never knew any one in his position who succeeded better in exerting over his pupils a religious influence. Even those of them who were not personally brought under this influence have expressed to me their sense of its value and the great esteem which they entertain for him in consequence. As a teacher he has the great merits of patience temper clearness and liveliness. There is a simplicity freshness and sprightliness about his powers of mind, which is very captivating to all who know him. His attainments are characterised by solidity and depth. The qualities which fit him for the *government* of a school are his moderation soundness of judgment, and affability. His administration would be perfectly secure cautious and yet progressive as regards real improvement.

Mr Cotton's views on the subject of religion will be best described by saying that he is a sound Churchman, taking a temperate and independent line on most of those questions which agitate and divide the Church. He is no partisan and, therefore cannot be described by any party name. Upon the whole I cannot doubt that, should you see fit to elect him, you will confer upon the cause of education in the country a very great boon. He adds in a postscript,—“ I find I have omitted to name a fact of some importance, which is, that during the (very limited) period of my Head mastership the best scholars in the school have been pupils of Mr Cotton.”

We cannot perhaps better close our extracts from the letters bearing upon the character of the late Bishop in connexion with his career at Rugby than by giving at full length the testimony to his merits, signed by several undergraduates of Oxford who had formerly been his pupils at Rugby, on hearing their former tutor was about to undertake the Head mastership of Marlborough College It is as follows —

"We the undersigned Undergraduates of the University of Oxford and recently pupils of Mr Cotton feeling that we owe to him far more than any persons can do, except those who have been brought into the very closest connexion with him, beg respectfully to be allowed to add to his Testimonials a few words expressive of the benefits which we have received from his influence and to state the qualities which in our opinion constitute his peculiar fitness for the Head mastership of a great School

'It is because we believe that many of Mr Cotton's strongest claims to any high educational post rest upon those personal qualities whose working none have so closely seen, or can so thoroughly bear witness to as his late and intimate pupils, that we beg of you not to overlook our desire of giving expression to very warm and strong feelings of his singular powers as an educator which not to feel and express would be in us most ungrateful Most of us were for many years in his house all of us were his private pupils We never hesitated to go to him in any difficulty and we always found him ready and able to assist us, very kind and very feeling His singular candour and honesty of mind was appreciated even by boys finding him always most willing to listen, most open to conviction in all discussion simply desirous of truth temperate and conciliatory, we rarely felt it could be wrong to abide by his very clear judgment His evident sincerity and single mindedness his earnest love of all good and willingness to acknowledge it wherever found the Christian spirit that pervaded every action, his interest in the welfare of the School—the House—the individual,—too simple and unaffected to inspire mistrust or reserve—made even the youngest that was brought into close contact with him respect him while to the elder he was all that a friend and Tutor could be Neither his friendship nor influence has ended with our school life every renewal of intercourse, and very often and very happily has it been renewed draws us more closely and more firmly to him, and looking back, we see that he did more for us than the great deal which we felt that he was doing then Of his classical teaching we need say no more, than that it was unusually successful, but we would wish to express

“ our sense of the intellectual good he did us, not only by great  
“ efforts in the regular classical routine, and the unusual and  
“ unsparing pains he took with our Private Tutor work, for while  
“ checking all frivolous and superficial reading he encouraged in  
“ every way the study of history and all modern literature that  
“ could give a solid knowledge As a manager of boys he was  
“ strong and successful in opposing all oppression indolence,  
“ insincerity, all that was unmanly or unchristian in every  
“ shape he abhorred. It may perhaps be thought presumptuous  
“ in us to canvass at any length the religious teaching of any  
“ man, but whether it lays us open to the charge of taking too  
“ much upon ourselves or not we feel that it should not be left  
“ unsaid, that his was felt to be simple scriptural very  
“ earnest and sincere and above all things very effectual  
“ We believe that none can speak more from knowledge of  
“ a Tutor’s powers of education than those whose education  
“ has but just passed out of his hands and further that no  
“ great school can find a better Head master than the Master we  
“ have just left the prospect of whose loss to Rugby we deplore  
“ as irreparable in every possible manner and degree and it is  
“ with grief that we reflect that a name hitherto so inseparably  
“ linked in our minds with all that we love in Rugby, may  
“ perhaps be connected with it no more

This paper was addressed to the Council of Marlborough College to the Head mastership of which Mr Cotton was almost immediately afterwards elected

Thus then after fifteen years conscientious labour ceased Mr Cotton’s connexion with Rugby Of the incidents of that connexion we have allowed others to speak —head masters assistant-masters parents pupils bishops and dignitaries of the Church These all looking at the question from different points of view, have drawn it will be observed one and the same conclusion Their united testimony points to the same earnestness and single mindedness the same manly sincerity and unselfishness the same devotion to the instruction of the minds of others, by which his career in this country has been so strongly characterised For the work which he was destined to undertake could there have been a better training? No dull sectarianism no rancorous bigotry, no narrow minded intolerance are to be traced in any portion of his connexion with Rugby On the contrary, the correspondence to which we have referred is brimful of testimony to his perfect freedom from such weaknesses it indicates how thoroughly he understood in the entirety of its length and breadth and height what is comprehended in the meaning of the words Christian Charity,—that corner-stone and essence of the

**Christian religion** To do good to all, to win,—not to drive or repel,—men to a sense of what is manly and good and true,—to support his admonitions by thorough consistency of conduct, improving himself that he might improve others—these seem to have been the principles which he adopted at Rugby, to have constituted the system by a strict adherence to which he was enabled to do so much then and—when called upon to act in a wider sphere—to effect so much more afterwards

It is impossible to leave this point of Bishop Cotton's career without indulging in the reflections which a contemplation of it calls forth What are the qualities which pre-eminently demand our admiration? Is it not that independently of his natural and acquired talents, his powers of application, his clear and vigorous mind he possessed the true humility of spirit, the consciousness that for all these acquirements he was only a greater debtor to Him who had bestowed them the conviction that it was his chiefest duty to use them therefore for the glory of God and the welfare of others which are the most distinguishing marks of the real practical Christian There was nothing selfish, nothing grasping in any of his aspirations If he set forth his claims to the head masterships of various public schools it was because he felt and others felt that trained as he had been in the school of Arnold the most trusted adviser and supporter in the administration of Rugby of that great man he, better than any one was qualified to maintain that system at Rugby or to cause it to germinate elsewhere It was the noble ambition which prompts men humbly conscious of the possession of certain talents to seek a field in which those talents may be useful to their fellows. Men of this stamp do not stop to enquire whether their master is a hard master, reaping where he has not sown and gathering where he has not strawed, but feeling their talents knowing that He has given them to be employed in His service, they dispose them to the best advantage, they lay them out so as to obtain for them that return which would be most pleasing to Him Thus it was that having as a young man, deliberately chosen the line for which he felt himself most fit, and which he certainly regarded as the most important of all,—that of impressing on the youth of England, at the most impressive period of their existence the full sense of their responsibilities, of early accustoming them to regard this life in a serious aspect—he felt, notwithstanding that he had taken honours at the University that it was his duty whilst a teacher, still to continue to be a learner also The Rev W J Conybeare, writing to him in 1849, makes express allusion to this circumstance 'Those who know you,' he writes, 'are all awar

' that your qualifications in this respect (scholarship) are not " sufficiently represented by your academical honours, high as " they were, since there are few persons who have made so great " advances since their degree as you have done ' Dr Vaughan, late Head master of Harrow makes a remark almost in the same words. To this untiring industry was due probably the appreciation of his scholastic acquirements by some of the greatest men of the day But to our minds it indicates something far greater and higher than mere industry It is but another illustration of that humility of spirit which, to be useful to others, was content ever to be a learner

With his election to the Head mastership of Marlborough College Mr Cotton's responsibilities became greatly increased. The college itself had sunk to the lowest ebb of its reputation. To raise again an institution which has flourished is it is notorious a task far more difficult than to impart vitality to a new institution The one is oppressed with the weight of the bad reputation from which the other is free Mr Cotton however brought to this difficult task not only the great qualities which had distinguished him at Rugby and the reputation he had acquired there but in addition a peculiar power, as to the possession of which he had not been before tested the power of wielding the chief authority On the college the effects of his administration were soon manifest The patience the knowledge the unflagging industry the large and liberal views the general sympathy with the boys the high moral system the manly tone, which had marked his conduct as Assistant-master at Rugby, were all brought into play with eminent success in the higher position at Marlborough \* Whereas the Head master of

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\* In illustration of this remark we append an account, taken from a local newspaper of the course pursued by Dr Cotton at the outset of his administration of Marlborough School

Dr Cotton came from Rugby to Marlborough the term after the rebellion The report was that Dr Cotton was a strict disciplinarian and on that account had been chosen as Head master of Marlborough College. Dr Cotton's first appearance endorsed the report, but soon his mild punishments and quiet manners made us rush into the other extreme and we unanimously set him down as a mild one a good Head master of a small school, but no match for a college of five hundred boys

A month or so showed us what Dr Cotton really was, and accounts for his wonderful success as Head master of Marlborough.

" He enlarged our privileges punishments were much milder Would the turbulent spirits be tamed and overpowered by his system? They were how or why they themselves knew not. Strength may be met with strength. The power of inflicting pain may be baffled by the pride of endurance but Dr Cotton appealed to a faculty in the offender the presence of which he " had not been previously made aware and it answered to the appeal Its



Rugby had, as we have seen, remarked that the best scholars of that school had been pupils of Mr Cotton, so, within a few years of Dr Cotton's installation, it was noticed at the universities, that the highest honours were carried off by those who had been educated at Marlborough. The reason was obvious. He applied to both schools the same system, but at Marlborough he wielded supreme power. It has been well remarked likewise\* that he achieved even a greater success than this. As in Rugby he had impressed his own moral and manly character on his own pupils, so at Marlborough did he succeed in instilling into all his pupils the same lofty sense of his responsibilities. He "impressed" says the writer to whom we have referred, "on every Marlborough boy a character which distinguished him at the University as belonging to a class *per se* as being a man in whom scholarship and gentlemanliness were united with a seriousness and loftiness of aim, which is not found in the ordinary public school undergraduate. Nothing so much astonished those who came to the University from other schools as the almost filial respect and affection with which the alumni of Marlborough regarded their Head master. Nor were the causes of this feeling difficult to discover. Even dons wondered when they heard that Dr Cotton when staying up at Cambridge previous to his embarkation for

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real existence therefore could not be doubted or its reply rendered inaudible. "and the very strength of the wilder passions to keep uppermost counteracted their own purpose by wasting in internal contest that energy which before had acted in its entirety on external resistance or provocation. an invisible power quitted them a power which was irresistible because it took away the very will of resistance.

A wonderful healthiness of tone and feeling gradually crept into the college. "Boys of the most different natures were keenly stimulated. None felt that he was left out and that no interest was taken in him because he was not endowed with large powers of mind. every boy began to feel that there was a pleasure in doing work and in doing it well. Emulation was excited and maintained in every branch of play as well as work. Hence an indescribable zeal for college was created in very one. Each boy felt assured of Cotton's sympathy in his own particular talent, in striving to cultivate his own talent in whatever direction it might lead him. he found Cotton not only approving but positively and sincerely valuing for themselves the results he had arrived at. that approbation and interest gave a dignity to both himself and his labour. Dr Cotton's hold over his pupils was astonishing. There was no enthusiastic admiration for his genius or learning or eloquence which stirred within them. it was a sort of sympathetic thrill caught from a spirit that was constantly and earnestly at work, coupled with such true humility and simplicity that others could not help being invigorated by the same feeling. All this was founded on the unfeigned regard Cotton had for work of all kinds, and the sense he had of its value both for the community at large, and the growth and perfection of the individual.

\* *Friend of India*, October 1866

" India, preferred taking tea with an old pupil to being fêted  
" by the authorities of the University \*

For more than six years Dr Cotton occupied the position which he filled with such benefit to others. A higher office however still awaited him. The death of Bishop Wilson in 1858 left the See of Calcutta at the disposal of the First Minister of the Crown. That Minister was the Earl of Derby whose eldest son, Lord Stanley, the present Minister for Foreign Affairs, had known Dr Cotton and had received the advantage of his tuition at Rugby. It was it is believed in consequence of Lord Stanley's representation of the peculiar fitness of his former tutor for the office that the vacant see was offered by his father to Dr Cotton. It was accepted, and in November 1858, the new Bishop landed in India.

For nearly eight years this country and especially the three satrapies of Bengal the North West provinces and the Punjab, enjoyed the inestimable advantages of the untiring supervision of Bishop Cotton. To sum up in a single phrase the spirit by which the exercise of that supervision has been chiefly characterised we should designate it as the spirit of enlightened Christian Charity. This it was which enabled him, whilst holding fast to the tenets of the Church of England, to conciliate Nonconformists and even to win the respect and to gain the confidence of Hindus and Mahomedans. And yet it was a position altogether new to him. Bishop Cotton had had, so to speak, no parochial experience. his duties at Rugby and at Marlborough had indeed rendered it incumbent upon him to perform the services of the Church and to preach sermons to his school boy congregation. he had there can be no doubt watched with an eager and attentive interest the various phases which Church questions have assumed during the last thirty years, but of practical acquaintance with Church Government he had had but little experience. Nevertheless suddenly elevated to the position of a prince of the Church to which he belonged, and of that particular portion of the Church which located among a non Christian community occupies necessarily to a great extent the position of a Missionary Church thereby entailing upon its head the most careful discrimination and the exercise of peculiar judgment and tact. Bishop Cotton showed himself as much at home in his new position as he had been as tutor at Rugby or as Head master at Marlborough. The reason was that the principle which guided his conduct in his earlier career is a principle applicable to all stations even to the

highest nay, not only applicable to the highest, but receiving from the highest the power of greater and fuller development. It was in a word, by the exercise of that Charity which "suffereth long and is kind, which envieth not vaunteth not itself is 'not puffed up which 'doth not behave itself unseemly, 'seeketh not her own is not easily provoked, thinketh no "evil, which rejoiceth not in iniquity but rejoiceth in the 'truth, which beareth all things, believeth all things, hopeth 'all things endureth all things,' which in fine, never faileth,' added to a zeal and energy in his Master's cause such as would scarcely be surpassed that Bishop Cotton succeeded in his administration of the See of Calcutta. He made it an essential portion of his duty to visit every portion of his Diocese scanning with a keen eye the wants of each district and devising the means by which those wants could best be supplied. In this view he advocated with all his energy a great increase to the development of the Additional Clergy Society. By his untiring efforts stations whose residents had long been strangers to the exercise of the rites and ceremonies of the Church, were provided with pastors. This indeed, he ever regarded as a most important portion of his duty. To bring to all the opportunity not to allow it to be that in this heathen land Europeans should be shut out from the sound of Gospel truth he looked upon as essential. For this end by subscriptions public and private by exhortations and collections, by placing before the world the results of what had been accomplished, as well as of what remained to be done he achieved wonderful success. The field however is yet far from being full the labourers still are comparatively few to Bishop Cotton however the development to which it has attained is mainly due.

In dealing with the clergy of his Diocese, he was particularly careful not to judge the opinions of other men by his own. Thus though himself rather leaning to the opinions of the broad Church party though by no means belonging to any party, he was tolerant alike of High Church enthusiasm and of the narrowness of Low Churchism. The Church of England allows, and rightly allows play for the different ideas of the different minds within her communion provided only the essential doctrines which she teaches are upheld. The charity which was the foundation of the principles of Bishop Cotton required therefore that he should not seek to restrict the views or actions of others by his own particular ideas but should leave to all, within the bounds we have alluded to, complete freedom of action. Such a course of conduct must always be attended with the happiest results. For a man occupying the position of a

Bishop of the Church to claim for himself the infallible and absolute right of interpreting doctrines, which the Church itself does not infallibly define is to claim a position, granted by Roman Catholics to the Pope but utterly unknown in the Church of England. The policy of such conduct even were it lawful, cannot likewise be too strongly condemned. Bigotry hardens and confirms, tolerance softens and induces to listen to reason. It was because he recognised this truth in all its fulness, it happened that during the incumbency of Bishop Cotton there was no ill feeling amongst the clergy of the Diocese of Calcutta. On the contrary upon all the example of their Bishop had a most salutary effect. Little asperities, caused by doctrinal differences disappeared as if by magic under that enlightened and tolerant sway. Nay more such was the effect of his truly Christian administration that to repeat a quotation we made at the beginning of this article 'the members of all Protestant communities in India looked up to the Bishop as their natural head. If indeed as many of the present day believe and as some earnestly strive for, the union of all denominations of Christians throughout the world be a possibility sure we are that a result so desirable can only be obtained by pursuing the same course of Christian Charity in dealing with the various sects and denominations such as characterised throughout the Church administration of Bishop Cotton.

But it was not to the carrying on Church government that the efforts of Bishop Cotton were alone directed. There was another and a most important subject,—a subject to which he had devoted the earlier and the best years of his life—and which now called upon him for the exercise on the largest scale, of all his energies. This was the subject of education. It is almost impossible to exaggerate the benefits which directly and indirectly he effected to this cause. In a recent article in this *Review* written by the Bishop himself on the subject of

Colleges and Schools in India the great progress which has been made in the mere increase of schools and the transplanting of some of them to those hilly regions where alone the offspring of Europeans can hope to survive have been fully entered into. But in that article full as it is in other respects there is one subject to which the Bishop rendered but scant justice. We allude to the modest mention of his own services, to the faint allusions to that untiring energy which prompted all the recent reforms through which alone, or at least mainly, they have been carried out. So thorough, indeed was his energy so earnest his advocacy, that we confidently believe that his death will make not the smallest difference in the completion

of his schemes. The Boy's school at Mussoorie is, we believe, an accomplished fact, whilst for Bishop's School at Simla, the foundation stone of a building on a healthy and commodious part of the hill was laid during the present season by the Viceroy of India.

One effect of the visits made by the late Bishop to the various parts of his Diocese was to convince him that for one man, whatever might be his physical strength, the labours of superintendence were far too onerous. It was, it is well known, one of his cherished schemes that the Punjab should be severed from the Metropolitan See, and should be constituted as a separate Diocese. His views on this point were entirely assented to by Lord Halifax then, as Sir Charles Wood at the head of the India House and a Bill was brought by him into the House of Commons last year for the purpose of carrying the project into effect. The announcement of the scheme, however, seems to have struck alarm into a certain section of the supporters of the ministry, and as it seemed not impossible that malcontents might be strongly recruited from the opposition Sir Charles resolved not to run the risk of a second defeat on an Indian subject in one session, and accordingly withdrew the Bill. His views on the subject however remained unchanged, and it is understood that he contemplated a scheme by means of which the measure could be carried out without the necessity of asking Parliament for an allowance. The views of the Bishop on the subject were fully expressed in an article written by himself, which appeared in the April number of this *Review*.

One subject there yet remains to allude to, and that not the least important of those connected with his Indian career. We allude to his relations with the natives of India. The present phase reached even by the most highly educated among the astute Bengalees could not, in a Christian point of view be entirely satisfactory to one, who, though most liberal in his ideas, was yet the Bishop of a proselytizing Church. It is, we believe, a fact that the educated natives of Bengal, whilst they have ceased to be followers of Hinduism, have not yet become Christians. Still halting between two opinions they show no disposition to embrace the religion of Jesus. On the contrary, the principal newspapers, published by them in the English language, though displaying remarkable ability, a great knowledge of the English language, a profound reverence for the arts and sciences of the West, show generally a contempt, often even a hatred, for the religion of the European fellow subjects of the writers. To encounter them effectually

on the subject requires a knowledge of their own religion, such as can generally only be attained after a prolonged residence in this country. Skilled in the controversy, they oppose miracle to miracle, and ask the supporters of the inspiration of the Scriptures, proof as plain and absolute as that which assures them of their own existence. Such controversies are always barren,—nay, unless conducted with freedom from all passion, with perfect tact and temper they invariably tend not only to confirm the rationalist in his views but in embittering his feelings against the doctrines of the Christian disputant. Now it may not have been in the strictest sense, a part of the duty of a Bishop of Calcutta to enter into subjects of this nature. Still it would have been impossible for a man like Bishop Cotton, possessing a strong sense of duty, and recognizing his position as Chief of a Church which if true to itself, must always be proselytizing altogether to avoid the question. Yet in the mode in which he took it up, he displayed to an eminent degree his tact and knowledge of mankind. Many years have passed by since the confidence of the natives of Bengal was gained by any European gentleman so completely as by this Christian Bishop. And this not in consequence of any derogation on his part from the duties of his high office but because his intercourse with them like every other course of action he attempted was based on the widest Christian Charity. If he could not on this field show great results, he was wisely content to hope all things. Instead of provoking the Hindu to barren and profitless controversies, he was content to let him see the results which Christianity produced, to set before him its effects upon the life and character of individuals and through them on the life and character of a nation. His desire was to prepare the minds of the natives for the reception of Christianity to train them up to feel that the soul has aspirations which mere rationalism can never satisfy. His was the seed sown by the wayside, and we may at least hope that all of it did not fall upon stony ground or among thorns.

But, however that may be there can be no doubt as to the appreciation in which the Bishop was held by those who were not his co-religionists in this country. The feeling amounted indeed to something more than common regard. We never met an educated native who did not speak of the Bishop with respect and affection, not one who did not appreciate to the full his kindly manner, his large heart, his warm sympathies. The reception he met with at the last meeting of the Bethune Society in April of the present year, was enthusiastic and respectful. The lecture which he then gave, having for its

object the encouragement of female education, was warmly received, and so much appreciated that a proposal was made and carried to print it. It was his last appearance in that Society, and we are confident that its members will cherish the recollection of it with mingled affection and regret.

We have now completed our task. Imperfect as it is, it may yet serve to bring more vividly before the public of India, both natives and Europeans, some idea of the man we have lost. The knowledge of his worth, his excellence, his devotion to the cause of education and to the good of his fellow men may at least serve to indicate to his successor the line in which much yet remains to be achieved. His loss we cannot but regard as irreparable. Even though his successor be all that can be desired it will be still impossible to look back without regret—bitter and heart-felt regret—upon the loss of Bishop Cotton. His sudden death cut off as he was in his prime in the midst of his career of usefulness, has caused a feeling of general mournfulness throughout India which the mention of his name and the recollection of the great things he was contemplating, cannot fail constantly to recall. Still as his life was a pattern and example to all, influencing thousands for their advantage it is possible, we think that his death may not be without effect upon even the most indifferent among the community. Cold and callous must be the man who cannot deduce some profitable reflection from the contemplation of that pure and spotless life that unselfish devotion to duty that untiring energy on behalf of others. His was the white plume, ever foremost in the good fight of faith which it becomes every Christian to labour to follow. And not alone every Christian. That which is to them a natural duty will come we think, with advancing time, to be regarded by the natives of India as a sign and beacon in the distance towards which it will be their privilege to shape then now wandering course. We may be sure at least that when they talk as talk they do of Englishmen, they will never mention without respect and affection the name of the late Bishop. Nor will it be possible for them to recall that name without recollecting that bright example he set them during his lifetime that noble charity which drew their unconverted hearts towards the Bishop of the Church. Thus then let us hope that his spirit may live amongst, and his example animate his, fellow men so that all may yet in some happy time to come natives as well as Europeans, acknowledge and rejoice in the debt of gratitude under which India lies to Bishop Cotton.

ART IX — *Report on the Village Watch of the Lower Provinces of Bengal* By D T McNeile, c s , Magistrate on Special Duty

OF all the questions which have perplexed successive Governments few perhaps have been more important or more beset with difficulties than the one which forms the subject of the volume now before us—the reform of the village police.

The question is important primarily in its bearing on the preservation of order and the successful administration of penal justice throughout the richest and most populous tract of our Indian Empire and secondarily as involving a trial of strength between the Government of the day and the aristocracy which owes its title to the permanent settlement.

The importance of the functions which ought to be discharged by village watchmen cannot be estimated without reference to the conditions existing in India as distinguished from those which obtain in England. At home the prolonged enjoyment of Christian civilization has implanted in the mass of the people an earnest love of justice for its own sake. If a murder be committed the circumstances are eagerly reported and become the topic of conversation through the length and breadth of the land. Every one who has or thinks he has any information likely to lead to the detection of the criminal comes to the assistance of the police. the higher the position of the person suspected, the more is the national desire for justice aroused, the darker the veil of mystery which wraps the offence the more eager is the public that the truth should be elicited. Nay more, our citizens band themselves together in private societies for the detection of thieves the prosecution of forgers, and the protection of women and children. In short, the nation loves the law, and warmly aids the civil power in enforcing it.

In India, on the other hand the law is often alien and distasteful to the people, and therefore fails to secure their co-operation. Unwilling to aid in the infliction of the severer penalties of the law, and especially reluctant to sanction the taking of life, albeit in just retribution, they solace themselves



with the idea that to defeat justice is an act of mercy, and that if the murderer be doomed to meet the fate of his victim, the sum of suffering, and therefore of evil, is increased

Besides this the villagers of this country value very highly the privacy of their homes, and jealously resent the intrusion of the police, especially if their investigation has for its object some offence which touches the domestic concerns and family honour of one of their number

Even if they be indifferent to the result, they cannot forget that the progress of the enquiry itself is marked by many annoyances. The necessity of attending before the police, the prospect of having the Inspector with his staff billeted for some days on the village, the fear that pressure may be used to induce them to disclose even that which they may not know, or that they may be compelled to give false evidence for the sake of completing the case for the prosecution, and finally the dread of being obliged to leave their fields and travel long distances to give evidence first in the court of the Magistrate and then before the Judge, with the certainty of being subjected to harassing examination, and a chance of being finally committed for, and convicted of, perjury are evils which the villagers are generally only too happy to avert by a mere concealment of the truth. If we turn from the detection of crime to its prevention, it is evident that the police will be kept, if possible, in ignorance of any impending riot, for the reason that breaches of the peace are generally committed for the advancement of some object in which the whole community is interested.

The influence of the landholders is likely to be adverse to the police. Too often it may be feared they are the patrons of the criminal and the abettors of the crime, even if they have no prior concern with offenders, they will not court the diminution of their own power and doubtless some few actually receive money in consideration of screening the guilty.

Nor are the landholders likely to be restrained by the fear of legal responsibility. Probably in nine cases out of ten, their endeavours to conceal crime will be entirely successful, and in the tenth it will not be possible to obtain conclusive evidence of the part which they have taken.

These considerations prove the vital importance of securing for every village some person whose duty and interest it shall be to give early notice of all designs to commit heinous offences, who shall after the commission of an offence arrest the supposed criminal, preserve the body of the murdered man, the fatal weapon, or any other real evidence of the crime, and give due notice to the regular police.

They also show that it is idle to hope for improvement in the watchman as long as the influence of the landholder and the villagers is more powerful than that of the guardians of law and order

At present the landholder holds an unlimited influence over the watchman. He not only nominates him and practically enforces (as far as it is enforced) the payment of his scanty wages, but also collects the rent of the land which is held by the relatives of the watchman, while in many cases the latter is himself a cultivator. Nor has the Magistrate the power of dispensing such rewards and punishments as shall outweigh the adverse tendency of local influences. He cannot enforce the payment of the watchman's salary, for the law has given him no authority to do it, nay more he has been strictly prohibited from interfering to recover it whether it be payable in cash kind or land. We are aware that most Magistrates rather than allow their districts to fall into complete anarchy have exercised in this matter a vigour beyond the law, and harassed the landholders until they should secure to the watchmen some measure of justice. This arbitrary interference, however, has been in our opinion not more illegal than impolitic since it has rendered possible the repeated postponement of genuine reform, and certainly cannot be viewed as any defence or palliation of the present system.

Can the Magistrate offer such advancement as may prove an incentive to honest exertion on the watchman's part? no, the utmost he can bestow is a constable's baton, which the watchman does not covet, since it would remove him from his village and its associations, and subject him to a semi-military discipline. Moreover, the watchman if young and strong might probably be enrolled as a constable for the asking. Even were this otherwise, it is impossible that even the most energetic Magistrate should be sufficiently familiar with the character of each watchman in his district to dispense promotion with effect.

But it will be said that the Magistrate has at least the power of fine and dismissal. In theory he has but in practice he cannot fail to see the absurdity of fining a servant whose income is so trifling and precarious as to be beneath contempt as well as of dismissing a person whose son or brother would probably be nominated to the vacant post, on payment to the Police Inspector of the usual *douceur*, four annas or a kid!

The elevation of these watchmen to the standard of independent police officers, is the problem which has remained unsolved for two generations.

The difficulties in the way of this reform are in themselves considerable and have appeared the more formidable because of the foregone conclusions with which successive enquirers have approached them

It is necessary either to convert thieves into honest men, or to turn the thieves out and induce honest men to take their places to secure persons who shall possess an intimate and complete acquaintance with the locality and yet be tolerably independent as well of the landholders as of the cultivators to provide them with an income sufficient for their support and liberal enough to make them dread the loss of their appointments and at the same time to keep faith with the existing watchmen the villagers and the landholders

The last condition is no doubt the one which it has always seemed most difficult to fulfil The village watch appeared to exist universally and was generally supposed to be, in all its essentials one and the same institution But there was no evidence in an accessible form to show what the rights of the parties concerned were and consequently no means of readily ascertaining whether those rights were the same in various districts, and whether a single measure could be devised which should be applicable to the whole of Bengal

In such uncertainty as this the Government with reason shrank from any attempt at legislation on the subject and it is possible that action might have been still further postponed but for the introduction throughout Bengal of a uniform system of semi military police

It was soon found that the new and the old could not be harmonized and that where the old *barkandaz* by dint of years of residence in the same station, and personal knowledge of the villages was able to obtain some sort of result from the village police, the newly appointed constables could do little or nothing

In this difficulty the Government of Bengal adopted the expedient of appointing an energetic young officer to collect information from local sources and official records to enquire into the existence and character of all rights vested in the landholders, the village communities and the watchmen themselves, whether by ancient custom or by legislative enactment and to embody in a draft Act the reforms which he might recommend

The appointment of a Commissioner for the prosecution of the enquiry, and the selection of the officer to whom it was entrusted, have been amply justified by the result Mr McNeile has collected and arranged in a most convenient form nearly all that can be learnt concerning the village watch in the various tracts of Bengal, Behar, and Orissa, discussing its origin and tracing its

history down to the present day and finally treating of the measures to be adopted for its reform

He begins by proving that it is only in the western districts of Bengal and in Orissa that the watchman, remunerated by a grant of land is really a remnant of the ancient village system, and that in the eastern districts the existing watch has been introduced by our own Magistrates at various and comparatively recent dates

This position is established as far as the eastern districts are concerned by official records of the first organisation of the watch. It is thus shown that the impression which has prevailed respecting the character and antiquity of the institution is, as far as these districts are concerned wholly erroneous

Mr McNeile states that in ancient times the inhabitants of a village in the character of a municipal corporation set apart a portion of land from each holding for the maintenance of the watchman and hence argues that the 'village watchman from the earliest times, so far as his proper duties as a watchman are concerned has been a public servant holding his office under the Government of the country, whatever form that Government has assumed'

That on the establishment of the Muhammadan power and the appointment of zamindars the village communities lost their municipal character and the watchmen were merged in the establishment of the zamindars but continued to perform their proper duties

The decennial and permanent settlements declared the lands held on tenures based on public and private service to be liable together with the rest of the estate for revenue that is to say, the lands were not to be themselves assessed at any money rent or revenue, but were, on the default of a proprietor to pay the revenue assessed on the rest of an estate to be transferred to the purchasers under the Government subject to their former liens

In accordance with this principle the settlement officers on the one hand excluded these lands in estimating the Government revenue and again in estimating the costs of collection "*allowed the Zamindar a proportionately smaller deduction in consideration of the fact that the services of the occupants of the chakeran lands were still at his disposal for the collection of his rents*" P 12

Here we are in some doubt as to the author's meaning. It is only reasonable that the proceeds of watchman's land should have been left out in calculating the gross rental of a village, inasmuch as those proceeds never came into the hands of the

landholder It is also obvious that as the landholder had neither responsibility nor cost of collection to sustain, in reference to these lands, so he had no right to any deduction or to any allowance by way of profit on their account

But if we are right in supposing Mr McNeile to state that after computing the gross revenue to be collected by, and deductions therefrom to be allowed to the zamindar without reference to the service lands, the Government added to the nett revenue payable a sum representing the services which the village establishment (*including the watchmen*) rendered in collecting the rents, then we think Mr McNeile should have given us a full *précis* of the evidence establishing the fact This is the more necessary as the writer has offered no proof of his statement (p 6) that the watchmen were employed in duties connected with the collection of revenue

Assuming, however the correctness of Mr McNeile's history of the rent-free lands we must agree with him in his conclusion that the State acquired a direct lien upon the lands to the extent, represented by the public service due from the occupants the zamindars being left in possession of a lien proportionate to the private service still owing to them by the same occupant

We are aware that a measure of support is afforded to this view by the decision of the Privy Council on the appeal of Babu Jai Kishn Mukarjya

But it must be remembered that the judgment in that cause is only to a very limited extent susceptible of general application It refers definitively on the face of it only to the zamindari of Burdwan and recognises only such private services as by usage in that zamindari, chaukidars have been accustomed to render to the landholder And we believe from personal experience that in the western districts the watchmen do not usually render private service to the landholders, such service, as far as it relates to the collection of rent, being performed by the baráhl and gorait

We trust therefore that in any measures which may be adopted in the nature either of legislation or of private arrangement between Government and the zamindars, the onus of proving the nature and extent of any lien upon the service-lands for assistance in the collection of revenue may be thrown upon the zamindars

Mr McNeile states his conclusion more fully in the following terms — The village watch of Bengal, so far as it is directly or "indirectly supported by grants of land has always been *quoad* "the public service required from it, maintained solely and

‘ exclusively at the expense of the State and not of the land holders ’

We are unable to reconcile the statement “ that the watch man as far as his public service goes is maintained exclusively “ at the expense of the State,” with the fact recognised by Mr McNeile that the land set apart for the support of the village watchman was composed of small lots separated from the holdings of the villagers though it is true that the Government by waiving its claim to revenue on the watch man’s lands, has largely supplemented the provision originally made by the village community

In this view and failing proof of the claim of the land holders to the fiscal service of the watchmen we should so modify Mr McNeile’s conclusion that it would stand thus — “ *The village watch of Bengal so far as it is directly or indirectly “ supported by grants of land has always been maintained at the “ joint expense of the State and the village communities and not at “ the cost of the landholders in any manner whatever* ’

Mr McNeile’s 39th paragraph contains so full an exposition of his views that we quote it in extenso

“ The general conclusions arrived at in the preceding paragraphs “ may be thus shortly recapitulated They are *first* that the “ village watch of Bengal is a body of public officers a large “ number of whom are also dependent by law upon the land “ holders as their private servants —*second* that the class bear “ ing this double character are confined to the Divisions of “ Patna Bhaugulpore Burdwan, Cuttack and a part of the “ District of Moorshedabad in Rajshahye and that throughout “ the rest of the Rajshahye Division and the entire Divisions of “ Nuddea, Dacca and Chittagong the watchmen are solely “ Government officers,—*third* that the chakeran lands held by “ the village watchmen in the Patna Bhaugulpore and Burdwan “ Divisions are proportionally hypothecated by the terms of the “ permanent settlement for the double service required from their “ occupants —*fourth*, that those occupants have no right to retain “ possession of their lands without payment of rent after the “ double service for which they have been assigned is remitted — “ *fifth*, that of village watchmen in the Patna, Bhaugulpore and “ Burdwan Divisions who are not in occupation of service tenures, “ such as are entirely supported by their fellow villagers, are public “ servants only, like the watchmen of the Eastern Districts, and “ such as are really supported by the landholders are liable for the “ double service due from the holders of service tenures —*sixth* “ that duties owed by the watchmen to the residents of the “ villages in which they are employed, as distinct from duties

"owed by them to the State, are mythical, — *seventh* that the "whole expense of the village watch of the country *quod* their "Police duties, except in so far as certain chokidars in Behar, "now really supported by the landholders are not true representa- "tives of former occupants of service tenures, is and has been "practically borne by the State and by the people at large, and "in no degree by the landholders "

From these conclusions we differ as we have already said only to the extent of questioning the claim of the landholders generally to exact private service and holding that the cultivators have even in the Western Districts contributed to the support of the watch

Mr McNeile proceeds to draw from his conclusions certain further deductions. He holds that the landholders, as such, "are not and never have been bound to maintain village watch "men "

This view is wholly opposed to that maintained by Mr Hobhouse Legal Remembrancer whose argument as quoted at length in the report is briefly this — The law recognises the "right of the landholder to nominate the watchman therefore "the law imposes an obligation to nominate therefore the law "imposes an obligation to maintain "

We entirely agree with Mr McNeile in thinking this argument inconclusive for the reason that the second position is not certainly deducible from the first

But we may consider Mr Hobhouse's argument inconclusive without holding that his opinion is wholly incorrect nor does it follow that we should accept Mr McNeile's deduction above quoted

Our own view is this that there is no provision of law binding the landholder either to nominate or to maintain the watchman, but that the right to nominate recognised by Regulation XX of 1817 and also the "general obligation" to nominate and maintain, asserted by Mr Hobhouse are real, and derive their existence partly from the original position of the landholders as officers of police, and partly from their responsibility as collectors of revenue

For as Mr McNeile has remarked the village communities lost their municipal character from the time that the zamindars entered on their fiscal and criminal duties this being the case we may safely assume that the obligations to nominate and superintend the watchman were transferred to the zamindar as police-officer. And it appears to us that the existence of this obligation was recognised in the Decennial and Permanent Settlements, under which the service-lands (to quote again the judgment of the Privy Council cited in the 11th page of the

report) "were to be included in the malguzari lands for the purpose of securing the assessment because, in the event of a sale upon default of payment of the assessment, it would be important that they should be transferred to the purchasers under the Government with whom the appointment of the person, whose duty would in part be to attend to public interests, would rest"

In short the zamindar was held responsible for collecting the whole rent of the malguzari and service lands the rent of the service-lands being, as Mr McNeile has said, the service, and for rendering to the Government a certain portion of the money rent and the entirety of the service rent the two together being in fact the revenue

This responsibility however ancient and reasonable, it has never been possible to enforce by legal means, no penalty having been affixed to its neglect

Whichever view be the correct one, no practical difficulty appears likely to arise since it is abundantly clear that the zamindars have in no case the right to derive any profit from the lands. They cannot therefore complain of being relieved of a barren duty and responsibility should the public interest require it.

The remaining deductions drawn by Mr McNeile are expressed in the following paragraph (No 47 of the report)

'The *second* deduction which may be drawn from the conclusions already arrived at is that the State has long saddled itself with an expense in the Western Districts with which in the language of the preamble to Regulation XIII 1813 it is just and expedient that the communities for whose benefit and protection an establishment of watchmen is maintained should be charged—an expense which has long been actually borne by the inhabitants of the Eastern districts The *third* is that measures may therefore be equitably taken to establish a village watch on any principle that may be thought advisable in the Western districts at the expense of the people at large independently of any course that may be adopted for the treatment of the chakeran lands and their occupants The *fourth* deduction is that the course to be adopted in respect to the chakeran lands is a matter of private agreement between the Government and the landholders, neither the occupants nor the village residents having any voice in the matter'

If our view be correct, these deductions must be modified precisely in so far as the original contribution of land by the villagers now forms the maintenance of the watchmen If it be proposed to assess the villagers they will be entitled to point



to the service-land and say, we have already set apart a portion of our holdings but for this, our tenures held formerly it is true, by a less secure title than at present, but still held and enjoyed by us would have been at this time more valuable in assessing us therefore, the value of our own contributions should be credited

We believe there would be no difficulty in carrying this out in practice. The service-land might be assessed at the average rates of the village and settled with the zamindar on the usual terms the tenant right to hold in perpetuity at the same rates might be sold by auction and the proceeds be credited to the village the interest being applied in diminution of the assessment.

Thus the Government revenue would be secured, and the villagers would receive the fair value of their ancient contributions.

Where the service-lands are no longer distinguishable we do not see how Government can recover revenue on their account or the villagers obtain a diminution of the assessment, since Government never took charge of these lands and if the villagers have allowed their ancient contribution to be made away with they must clearly contribute again. Where however the service land is indistinguishable but the landholder admittedly pays the watchman in consideration of having appropriated it, he ought evidently to pay the sum towards the assessment in perpetuity subject to any claim that Government might be able to establish on account of the revenue of the appropriated land.

Having completed his valuable *resumé* of the history of the institution and drawn from it the conclusions already discussed the author proceeds to point out in the most forcible manner the absurdity of the course pursued by successive Governments in maintaining the responsibility of the landholders in matters of police, but at the same time divesting them of the authority which could alone render that responsibility legitimate.

He writes— There are but two ways of dealing with this *imperium in imperio* the one is to subvert it the other is to recognise, confirm and work through it."

He then discusses as if labouring under some kind of compulsion, the possibility of retrograding by the space of fifty years, and again placing the agents of the landholder at the head of the village police. But he avows with the utmost confidence his own belief, that the only course which can be legitimately adopted by a strong and an enlightened Government is to sever at once all connexion between the landholders and the police. And we cannot imagine that any candid reader

of the Report before us can for an instant hesitate between the alternatives described

But there will be difference of opinion as to the measures which ought to be put in force for the organisation of the village police, and for the collection of funds for their support

The author's scheme is briefly this to abolish *in toto* the existing village watch, to appoint Chaukidars not to villages, but to circles or beats including their own and other villages, all of which must be visited during the twenty four hours to control them through Sirdars on higher pay who should be stationed at a convenient point for receiving the reports of the policemen and thus by a partial sacrifice of local knowledge to secure a maximum of independence Their pay will of course, in accordance with the principles already advanced be defrayed by the communities protected

We must here remark that the position of the policeman will be essentially altered He will no longer be held responsible for the impossible duty of guarding from sunset to sunrise a village of half a mile in circumference or (as in many places at present) three villages a quarter of a mile apart. He will not be bound according to the time honoured stereogram of a robbery case in Bengal to appear on the scene at the precise moment of the offence and arrest two or three lusty robbers single handed He will not be always at hand, to guide to the next village the Assistant Superintendent of Police belated on his return from some enquiry, and to point out the yawning wells which threaten to swallow up man and horse together He will not be available to watch the Magistrate's encampment at night nor will he in time of harvest sleep with one eye open at the village threshing floor But it may be hoped that with more to gain and more to lose, he will do his duty without first taking orders from the land holders that he will not await the con cremation of the corpse before giving notice of a murder that he will report an intended riot in time to prevent it and not merely on the defeat of the party which he himself espouses that giving a fair day's work for a fair day's wages he will have no leisure for intriguing with robbers and cattle-stealers

But we do not think that in changing so radically the duties of the village watchman, his present name should be retained A chaukidar is "the keeper of a post" which the new official will not be With reference to his duties, we should prefer to call him in English "patrol," and in Urdu "gashti" This is the only Urdu word we know which fairly renders the English 'patrol'

The headman might appropriately be called Jama'dar, and as the old Thana Jama'dar has given place to the modern 'Hid' no confusion would arise from the use of the term.

In any case it is to be hoped that the infliction of an English term may be avoided lest it degenerate as 'constable' has become indifferently *kanbishtil*, 'ishtibil' and 'ibil'\*

The assessment of the inhabitants 'according to their position in society and means of livelihood' appears reasonable nor do we know any agency by which it can be as well carried out as by the proposed *panchayat*. The proviso wholly exempting all persons who are unable to pay one anna per mensem, will relieve the poorest inhabitants without unduly burdening the rest and will greatly diminish the number of appeals.

The XXIVth Section of the Draft Act contains the author's scheme for collecting the sums assessed. He proposes to levy the total amount less two per cent from the landholder giving him authority to recover the sum from each inhabitant as an arrear of rent. The plan is no doubt convenient and highly economical but the idea of making the landholders, against their will the gatherers of a new tax appears arbitrary and oppressive, and we cannot suppose that the provision embodying it will ever become law.

Still less defensible is the proposal to make arrears of payment on this account leviable by the process prescribed for the realization of arrears of land revenue in other words by the sale of the defaulting proprietor's estate. To levy the tax from the landholder at all appears extremely inequitable as the debt is none of his. But to render a permanently settled estate liable to summary sale for the recovery of any sum other than that for the payment of which it is under the terms of the settlement hypothecated, would be nothing less than a breach of public faith.

It would probably be the best plan to entertain an establishment to collect the tax in some such manner as the following—an Amin should be told off to a certain number of circles and should give to the Sirdar, or as we would call him Jama'dar of a circle, notice of his intention to be at the guard house on a certain day to receive payments. The patrols would give due notice to each village in the circle. After the day fixed for payment, the Amin might, with or without further orders from the Magistrate, proceed to levy

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\* Possibly the first syllable has been dropped to avoid the mauvais compliment implied in associating the constables with the Herod of the Prem Sagar.

the arrears with costs by distress and sale of the moveable property of each defaulting resident. The scale of costs should be fixed sufficiently high to defray the expense of the collection of the arrears, and at the same time to operate as a penalty on defaulters. It might advantageously be left in the discretion of the Magistrate to direct the levy of costs equal to, or double, or treble the arrear as the recusancy of the inhabitants of the circle should require.

We would however by the grant of a liberal commission encourage landholders and other influential inhabitants to raise the sum leviable in their villages by private arrangement, and pay them into the District or Sub divisional Treasury and we are of opinion that the inhabitants would freely avail themselves of this permission if only for the sake of averting the Amin's visit to their village.

Appended to the General Reports are Special Reports on those districts in which the existing village watch presents features of peculiar character but it is not necessary to dwell on these, as the local differences offer no obstacle to the introduction of the system advocated by Mr McNeile.

In conclusion we must congratulate Government on the very valuable body of evidence collected, and on the logical and lucid manner in which that evidence is arranged nor can we omit to notice the classical English in which the report is framed.

Whether the precise plan recommended by Mr McNeile be adopted or not we trust that the liberal independent and statesman like principle of action which he has laid down may be made the basis of legislation and that ere the departure of Sir Cecil Beadon we may see inaugurated a measure worthy of the Government which has already by the abolition of the vernacular record initiated a policy which will gradually but surely purify the civil, as it has already purified the criminal, tribunals of Bengal.

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## SHORT NOTICES

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*The Claims of the Poor An Address delivered before the  
Ooterparrah Hitokorry Shova the 29 April, 1866 By Koylas  
Chunder Bose Calcutta Stanhope Press*

THE author of this address is if we mistake not, the able and indefatigable secretary of the Bethune Society To see him come forward in the noblest of all causes—the cause of the poor—is calculated to make those hope who had begun to despair of the effect of education upon the natives of this great country—for it is a striking proof of one at least of the tendencies which that education produces on the gentle nature of the Hindoo who may submit himself to its influence

The occasion of its delivery appears to have been most appropriate The Hitokorry Shova—it may be new to some of our readers to learn—is an institution founded at Ooterparrah one of the suburbs of our metropolis in 1863, the object of its founders ‘being to educate the poor to help the needy to ‘clothe the naked to give medicines to the sick, to ‘support poor widows and orphans A nobler object, more in keeping with the true tenets of the Christian religion, has seldom instigated the establishment of any institution, and the last report of it shows that those who saw the evil they wished to reform were prepared also to come forward manfully in its support It is surely a gratifying feature in the history of Anglo India to find Hindoos not only recognising but acting upon, the great principle of institutions for great and benevolent purposes not dependent upon any State grant, or the patronage of an illustrious name but relying solely on their own energies and public spirit It is surely a consoling fact, to see Hindoos banding themselves together for this sacred purpose,—not with the view of parading their charity in the sight of men, but of giving, unostentatiously, that generous aid and beneficent assistance, of which their countrymen

most stand in need The address, which forms the heading of these remarks was delivered by Baboo Koylas Chunder Bose on the 29th April last the occasion of the anniversary of the *Shova* It would appear to have been the object of the speaker to place before his audience the great benefits accomplished by the institution even during the short term of its existence as well as the greater benefits which it would be capable of accomplishing if it were supported by the millionnaires amongst his countrymen The blessings of education more especially of the education of the poor are most emphatically dwelt upon To the existing popular ignorance he attributes the existing popular degradation The ryot is a slave because he is ignorant of the means by which the fetters that bind him down are forged He calls upon the zemindars to set the example in removing a state of things which really tends more to their disadvantage than to that of any other class He points out that a system which would enable the peasant to discriminate between right and wrong must in the end be advantageous to the employer To the employing class to aid by their subscription and example he emphatically appeals

We have ourselves read the lecture with the greatest pleasure It is admirable in style and excellent in its moral tone Baboo Koylas has set an example which we believe his countrymen will imitate and has made an appeal to which, we fervently hope, they may respond The events of the late famine have shown that on occasions of real necessity, no class press more strongly forward in charity than those natives of Bengal to whom to use the words of the lecturer education has shown how to discriminate between good and bad between right and wrong The concluding words of the address will give a specimen of the spirit which animates the whole —

I shall touch upon another point before I conclude From "the able bodied poor and the able bodied destitute the mind naturally turns to those whom God intended for the highest purposes of life, but whom the accident of misfortune has cast upon society as an encumbrance The sick, the decrepid the deaf the dumb, and the blind are objects of tender solicitude Already stricken down by the hand of Providence, their poverty intensifies their suffering and turns life into a burden To them relief is due not only on the principle which governs the distribution of public relief funds among the able bodied destitute, but on a higher principle, *vis*, that of giving them with an unstinted hand, with a view that their position may be made as comfortable as it is possible for one

" man in the full possession of his active powers and organs  
 " to make for another who is destitute of them Charity in  
 " their case cannot be reduced to regulation limits 'To whom  
 " 'much is given, of him much shall be required' But what  
 " are the arrangements in our country for helping these pitiful  
 " objects? They are like all mendicants left to casual charity  
 " They besiege our doors, they pitifully cry in our public streets  
 " and thoroughfares, and we send them away sometimes with  
 " a small coin sometimes with a threat to call the police upon  
 " them for unlicensed begging God help us from licensed  
 " beggars! If the necessity for an organised charity is more  
 " needed in one case than in another, it is in the case of the *dis*  
 " *abled* destitute whom I have introduced to your notice Their  
 " number cannot be large though I have not the requisite data  
 " upon which to calculate the proportion they bear to the able  
 " bodied of our country But be their numbers what they may,  
 " the founding of hospitals and asylums where they may be  
 " cared for is pointed to as a duty which should take precedence  
 " before all works of charity Our millionnaires and billionnaires  
 " Rajahs and Maharajahs Ranees and Maharanees have spent  
 " a great part of their wealth in temple endowments, in ghâts  
 " and sanctuaries But can we call to mind a single instance  
 " of an endowment for the relief of the disabled destitute? I  
 " for my part am not aware of any and shall be glad if some  
 " one of my audience here will either rectify or ratify my  
 " impressions on the subject But I do fervently hope that the  
 " Hitokorry Shova is already acting upon the principle which  
 " I have hinted at for the consideration of those who may act  
 " independently of you, and who may now or hereafter seek  
 " objects upon which to bestow their charity

" I have thus Sir, most imperfectly, though sincerely endeavoured  
 " voured to say a few words in behalf of the Hitokorry Shova.  
 " If my ability had been equal to my wishes I would more  
 " worthily have performed the duty which your kind confidence  
 " entrusted to me But my prayer is that every one connected  
 " with this Association will do his duty in the respective sphere  
 " he is called upon to occupy Great is his responsibility, and  
 " in proportion to its greatness he will meet with his reward  
 " There are dangers and difficulties with which good works  
 " are always beset but they vanish like breath on the polished  
 " mirror when confronted by virtue, fortitude, and endurance

Let us then be up and doing  
 With a heart for any fate  
 " Still achieving still puruing  
 " Learn to labour and to wait.

*A General List, being a Compendium of Native Implements and Industrial Articles, Agricultural Produce, and Manufactured Goods, ancient the Paris Universal Exhibition for 1867* By Raja Kali Krishna Bahadur, CJFFOU Calcutta, Stanhope Press, 1866

To the students of the Bengalee language this would always be a most useful hand book. Issued as it has been twelve months before the great Paris Exhibition we may regard it as a timely publication, forming a link between the actual exhibitor and those whose craft and handiwork he displays. We congratulate Raja Kali Krishna alike on his design, and on the completeness with which he has carried it out. We sincerely hope the English portion of it will be translated into French. This is the more desirable as the inspection of the list of articles, some of them very curious, stimulates the wish to see the articles themselves.

The Raja's object in preparing this list we give in his own words —

This list of Articles of Art and Agriculture, produced "in the Nuddea Division was prepared at the request of the 'Divisional Committee for the purposes of the Paris Universal Exhibition to be held in 1867 and is published for the use "of exhibitors and those who take an interest in the antiquities of India, and the manners and customs of its inhabitants. "An Appendix arranged alphabetically has been subjoined. 'In preparing the list I have kept in view the two "objects of the Exhibition pointed out in the Committee's "Circular, viz. first—by exhibiting samples of raw produce "or of manufactured articles of superior quality or workman- "ship to attract foreign purchasers into the Indian market, "and thus extend the trade and commerce of the country, "secondly—by showing the natives of Europe the rude stage "at which certain arts and manufactures have arrived in "the country to induce importations of superior and cheaper "articles, and thus promote the welfare of our fellow country "men. If this list prove of any use to intending exhibitors "or capitalists I shall feel amply recompensed for my labours."

We are confident that these objects will be attained, and that the Raja "will be amply recompensed for his labours."

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*The Company and the Crown* By the Hon'ble T J Hovell Thurlow William Blackwood and Son Edinburgh and London, 1866

ALTHOUGH the author in his preface informs us that "the title chosen tells its story for itself," it has been found necessary,



we observe, to advertise this book by a different name. Yet he who is led thereby to expect to find in the present volume any elaborate exposition or comparison of "The two methods of governing India," will be grievously disappointed. The fact is that both titles are simply misnomers and the difficulty of suggesting one more appropriate can scarcely justify their adoption. The book is no more than a very imperfect sketch of the present machinery of Indian government, interspersed with personal notices of some of the leading public characters, with whom the author became acquainted while serving Lord Elgin in the capacity of Private Secretary in this country. Though grossly inaccurate in many details, we are nevertheless of opinion that the work may prove useful in England in helping to dispel that cloud of ignorance which envelopes all that relates to India. And therefore while warning the English public not to trust too blindly to an imperfect and inaccurate guide we still think there is much valuable information to be derived from this volume regarding the manner in which the government of this vast empire is conducted.

In his sketches of living statesmen Mr Thurlow is, if possible, even less happy. A Private Secretary, over and above the power of patronage, which according to our author, is entrusted to his hands, has peculiar facilities for observing and recording the individual characters and opinions of those with whom he is brought into communication. And of all others therefore, a Private Secretary might be expected to pourtray with some sort of accuracy the leading public men of his day. But in the present instance Mr Thurlow has utterly failed. His short residence in India has not sufficed to make him better acquainted with her statesmen than he evidently is with the course of Indian history. His portraits in fact will at once be rejected by the public as libels and caricatures and even those of whom he has spoken most favourably will hesitate before they thank him for having done so. The sketches are drawn by an inexperienced hand, and we are reluctantly forced to the conclusion that the author bent on making a noise in the world, has sacrificed the interests of truth to the excitement of rhetorical clap trap. As an instance of Mr Thurlow's style we shall quote his opening remarks on 'the Lieutenant Government of Bengal subordinate to the Governor General in the Home Department.' It will be seen that no attempt is made to conceal the author's opinion as to the evil of the comparative independence enjoyed by the Bengal Government, but it is

more difficult to understand in what respects he would wish to see its power and responsibility curtailed. The Bengal Government has undoubtedly committed mistakes, but the greatest of these the Bhootan Mission was approved and sanctioned by Lord Elgin himself. And if, as the author would seem to admit it is only when that Government has overstepped the legitimate functions of its proper province, and sought to embroil itself in frontier disputes that its operations have lacked the success which has certainly till lately attended its internal administration, it is obvious that the checks already in existence are sufficient, and no necessity exists for imposing fresh shackles on the freedom of its action. "To Lord

Dalhousie's annexations and protracted absence from Calcutta ' was owing the establishment of a separate Bengal Government his object being to provide for the administration of ' the Lower Provinces without reference to himself, that he ' might devote his energies to perfecting the non-regulation " system in the Punjab and other recent acquisitions. The " result was that an excessive measure of responsibility and power was dealt out to Bengal and it has been said ' that Lord Dalhousie himself regretted lately, the extent of independence granted. In the framing of the Bengal Statutes however a careful clause had been inserted, by " which the Governor General should have the power at any time of re-defining the position of that Government and ' reassuming patronage as experience might dictate. Now ' patronage is power and from the moment that Bengal " acquired control over all the members of her Civil Service, ' the Governor General became throughout those provinces an institution to which men no longer looked for honours ' and promotion. Although Lord Dalhousie and his successors fully felt the mischief of this system it has happened that circumstances have hitherto prevented any practical " advantage being taken of the saving clause above referred " to. Lord Dalhousie doubtless did not like so soon to ' cancel or revise a measure of his own. Lord Canning cared personally, little for dispensing patronage and without " previous experience in Government, it took a Governor General ' some time before he awoke to the consciousness that his ' customs' duties were collected by another and that even his " ' Gazette ' was printed in a Bengal Office over which he " exercised no direct control. Then came years of struggling " for bare existence, when Lord Canning's hands were full " and then a time when men were willing to be satisfied with " life and peace at almost any price, and shortly after came

" Lord Elgin with rumours of a change of seat of Government, " which embarrassed him still more than other causes had his " predecessors " So the evil is but skin deep after all. Lord Elgin and his Private Secretary forsooth could illbrook that " honours and promotion " should be looked for elsewhere than at their hands

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*A Hand-book of Sanscrit Literature* By George Small, M.A.  
London Williams and Norgate

THE competition for the Civil Service of India bids fair to produce a literature of its own. A clever writer has described the literary apparatus of a *coach* who undertakes to prepare pupils for the ordinary examination at Cambridge, as consisting of "all human knowledge reduced, like portable soup, to a small compass." The same necessity for passing an examination with the least possible amount of exertion on the part of the examiner would seem to have produced this little work. As the author, in his preface carefully disclaims all originality it is best to consider the book simply as what it professes to be 'a competition not a composition' and we think that most people will agree that the author has made a very creditable use of his materials. That the materials for a Hand book of Sanscrit literature are not numerous, will be evident to any one who looks through the list of authorities which Mr Small has given in his preface. Further on he lets fall hints which show that he does not consider himself in a position to give a satisfactory account of the earlier literature of India. But no exception can be taken to his summary of the results at present arrived at.

The work is divided into three parts, the first being devoted to a review of the Religious Literature of the Hindus the second treating of Philosophical Literature and the third of Poetical Miscellaneous Literature. Subjoined are two appendices, one on Hindu Mythology and one on castes and religious sects. Mr Small follows Max Muller in dividing the Vedic age into four periods his account of the contents of the Vedas as far as they are known to Europeans, is clear and concise. The meaning of the Sanscrit words is explained, and the Sanscrit original given in brackets.

Mr Small's account of the Philosophical Literature seems to us the best part of his book. In this he professes himself to be indebted to Ward on the Hindus and Dr Ballantyne. He does not mention the (in our opinion) infinitely more readable essay of Dr Mullens on the same subject. But we

are glad to bear witness, that on comparing Mr Small's account of the three principal systems with that of Dr Ballantyne, we find that some order at any rate has been educed out of chaos. Whether Mr Small's clearness is calculated to mislead or not, we feel ourselves scarcely competent to decide, Dr Ballantyne, we feel quite sure, would never mislead us, for we cannot understand him. But this may arise partly from Dr Ballantyne's having been compelled by the circumstances under which his treatise was written to take a polemical attitude with respect to Hindu Philosophy. In his refutation of those 'obscure doctors' he seems to have caught a slight afflatus of the true Brahminical spirit. He is evidently not inclined to be left behind in the race for the prize of utter unintelligibility. This makes his work far less valuable to the English student, (whose previous knowledge of the subject matter cannot be presumed to be extensive), than the known condition of the author would have led us to expect.

When Mr Small comes to the great epic poems of India he evidently feels that he is treading on firmer ground, though he never loses sight of his great guide Max Muller. In common with the majority of Sanscrit scholars he considers the Ramayana as older than the Mahabharata which some have never theless held to contain pictures of an older state of society. But more light will no doubt ere long be thrown on this subject by students of Indian antiquities both here and in Europe. Mr Small has given a brief *resumé* of the subjects of the principal Sanscrit poems and an account of some of the translations and editions of them which have appeared in England and India. This, as well as the appendix on Hindu castes and sects, is no doubt calculated to be of great service to the class for whom the book is professedly written.

Mr Small's outline of Hindu Mythology is marred by unintelligible reference to classical deities. The good sense, which has prevented him from digressing into historical parallels throughout the rest of his work seems to have deserted him here. For instance, we are told that Durga combines the characteristics of Minerva, Pallas, and Juno. Are we to understand by Minerva the Latian goddess of memory or consider the name simply as a synonyme for Pallas? Besides, it is hard to find in Durga much resemblance to any of the three except perhaps Pallas. It would have been better if Mr Small had given some of Max Muller's more probable speculations in the field of comparative Mythology. But the time for any exhaustive treatise on the subject has not yet arrived, though no doubt thanks to the industry of German scholars, it is not far distant.

Moreover, it seems to us to be desirable for the general reading public who have not to go in for examinations, and are occasionally in want of information of these topics, that it should be arranged in the form of a Dictionary, on the plan of Dr Smith's Dictionary of Greek and Roman Antiquities. It may be very useful for examination purposes to get up in a week a book like Mr Small's (which by the way is not provided with an index,) but the general reader, as well as the student, usually prefers the knowledge in a less condensed form, and an article in a Dictionary supplies the wants of both classes after a fashion which the meagre abstract is wholly incapable of attaining. Besides, even the aspirant to the Indian Civil Service, who makes nothing of acquiring a science before breakfast is not above devoting a few minutes to selected articles in Wilson's Glossary and Thornton's Gazetteer. On the whole, as the learned Vice Chancellor of the University of Calcutta has shown that the principle of cramming has a great future before it, and as the fatted turkey is destined to take the place of the soaring eagle as the stereotyped poetic expression for the man of transcendent intellect we may congratulate Mr Small on having contributed a very promising homœopathic stimulus to the cause of enlightenment and progress.

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*The History of India during the Hindu and Mahomedan Periods,*  
*by the Hon Mountstuart Elphinstone with Notes and Additions*  
 By E B Cowell, M A, Late Principal of the Hindu  
 College Calcutta London, John Murray

MR. ELPHINSTONE'S History of India is, as far as we know, the only English work that gives a detailed account of the fortunes of the country during the Hindu and Mahometan periods. This, joined with the fact that it is used as a text book by the University of Calcutta, has probably induced Mr Cowell to publish it with notes and additions. Indeed, the editor seems to have had in view native rather than European readers. For although, as he observes, there are few authentic facts in ancient Hindu history, and most of these are clearly stated by Mr Elphinstone, still a picture of ancient Hindu life and manners, materials for which the old epics would supply, is for Englishmen, at any rate, a desideratum. But Mr Cowell seems to have thought, and no doubt wisely, that for native readers this would be of little service. He has confined himself, with regard to the Hindu period, to giving some additional information in appendices, principally

on points on which the progress of the study of Sanscrit and Comparative Grammar has thrown a new light.

Mr Elphinstone's History has always seemed to us to be too unmethodical, too like a concatenation of note books, to be destined to be of lasting use. The best point of the book we consider to be his life-like description of the customs of the modern Hindoo, and of the Mahratta nation and their mode of fighting. This is, of course, to be attributed to his intimate acquaintance with that section of the inhabitants of India. To use the expressive words of Gibbon, "He saw them and we see them." We should have thought that in his account of the Mahometan period he has attached too much importance to mere dynastic revolutions and too little to the changes which have taken place in the manners and religion of the mass of the people. This is of course the old way of writing history, and the conception of a scientific study of history has even now, like all new ideas, to struggle with a good deal of opposition. But Mr Cowell thinks that Mr Elphinstone "in his clear despatch like narrative of the Mahometan period has rivalled Mr Grote and that he has shown his ability particularly in unravelling the endless details which render Asiatic History so confused and difficult. Indeed, the editor has appended in his notes some further details on these points which we should have thought unnecessary and if it were not that the known familiarity of the editor with his subject renders such a suggestion almost presumptuous on our part, we should have conceived that he would have done better to confine himself to the correction of obvious mistakes in the text of Elphinstone's Mahometan period, and not to have taken so much trouble about the endless genealogies in which Orientals are so prone to indulge.

One of the principal defects in Mr Elphinstone's work is his ignorance of the true relation of the original Hindu tribes to the other Indo-European nations and the aboriginal inhabitants of India. Indeed Mr Elphinstone disposes of the Indo European theory of languages by asking 'where could the central point have been from which a language could spread over India, Greece and Italy and yet leave Chaldaea, Arabia and Syria untouched. To this the editor replies "Of course, we cannot answer this question in our utter ignorance of the causes or course of these ancient currents of migration. We have here the two great streams of the Semitic and Aryan tribes, which Providence undoubtedly did keep distinct in the ancient world as indeed seems symbolized by the very languages in which the Old and New Testaments

“ are written By what particular series of events the distinc-  
 “ tion was originally produced and maintained, we cannot  
 “ determine but we see plainly that Jewish, Chaldean, and  
 “ Arabian civilizations did in the main run their own career,  
 “ just as much as those of ancient India, Greece, and Rome  
 “ Nor is it, perhaps, unreasonable to guess that the mountain  
 “ chain of the Caucasus may have interposed a barrier to the  
 “ southern advance of the Aryan tribes, just as it did to the  
 “ Cimmerian fugitives of Herodotus and similarly the Tartar  
 “ invaders of more modern times have passed onward into Europe  
 “ through Persia and Armenia, and generally left Palestine  
 “ and Arabia untouched ’ With regard to Mr Elphinstone’s  
 other objection that nowhere in Manus code or the Vedas  
 ‘ do we find any allusion to a prior residence, or to a knowledge  
 “ of more than the name of any country out of India,’ the  
 Editor remarks ‘ Could not the same be said of the ancient  
 “ Greeks if we only substitute Homer and Hesiod for the Vedas  
 “ and Manu? In this appendix it is clearly shown that  
 there is an immense probability in favour of the twice born  
 tribes being the conquerors, and the Sûdras the conquered  
 race Indeed, as the editor remarks, the *onus probandi* lies with  
 those who maintain a theory so utterly at variance with all  
 general rules as that favoured by Elphinstone The parallel  
 case which he adduces from Grecian history in reality militates  
 against him But it is impossible to abridge Mr Cowell’s con-  
 cise and to us convincing arguments He has also stated some  
 facts calculated to do away with a misapprehension very preva-  
 lent among the natives of this country, that Sanscrit is the  
 parent of the other Indo European languages It has been  
 long ago demonstrated to be the elder sister This is illustrated  
 in the work before us by a few Latin words which will be  
 familiar to the educated natives of this country

Mr Cowell’s account of the Vedas and the Vaidik literature is  
 a necessary supplement to Mr Elphinstone’s history, but the  
 subject is of course not to be exhausted in a brief appendix  
 Mr Elphinstone considers that Manus code was compiled about  
 900 B C but the present editor thinks that the third century is  
 nearer to the truth The most interesting perhaps of all Mr  
 Cowell’s additions is the abstract which he gives of the travels of  
 Hiouen Tshang which have been translated by M Stanislas  
 Julien “ Hiouen Tshang was an ardent student of Buddhist  
 “ philosophy in several monasteries in China, until at last in  
 “ the year 629, when twenty six years of age he conceived the  
 “ design of seeking in India the solution of the various doubts  
 “ which possessed his mind, and which none of the Chinese

'sages could resolve" It is easy to understand how important must be the travels of a man who visited India before Buddhism had been supplanted by a Brahmanic revival. To use the editor's words "they are our only stepping stone through a "thousand years of fable" It is amusing too to observe that the Buddhist traveller finds that the Brahman priests too are no match in disputation for those of his own creed. Indeed, the secular arm appears not unfrequently to have been enlisted on the Buddhist side

We have been unable to find any very important additions which have been made to Elphinstone's Mahometan period. Most of the notes are either mere corrections of the text, or notices of dynasties. For instance on the words 'Jeipál raja of Lahore' Mr Cowell observes (Page 321 note 22) 'We learn from Albiruni that a dynasty of Hindu kings reigned in 'Kábul during the tenth century. A Brahman named Samand 'was one of the first. Some of his successors seem to have "been Rajputs and to have possessed Láhór as well as Kábul. 'Jaipál and his son Anangapál were in all probability Rajput 'kings of Delhi who had annexed Láhór to their dominions "after Kábul was seized by the Muhammadans.' Oriental scholars will observe with pleasure that the system of spelling adopted by Mr Elphinstone has been rendered considerably more uniform and intelligible.

Mr Cowell is especially shocked at the want of 'true historical sense" displayed by the Hindoos and considers the Muhammadan historians not merely relatively but absolutely good. Indeed he remarks in a note at the beginning of Book VIII 'The entire Hindu period of Elphinstone's history corresponds "only (*sic*) to this eighth book of the Muhammadan. So "widely do the two periods differ from each other in all that "constitutes historical value. This may be but we must confess Mr Elphinstone's Vth and VIth books forcibly remind us of an expression of Gibbon's at the end of his XLVIIIth chapter in which he reviews the reigns of no less than sixty Byzantine Emperors. "Our immortal reason disdains the sixty phantoms 'of kings, who have passed before our eyes *and faintly dwell "in our remembrance*

It is obvious from the quotations which we have made that this edition of Elphinstone contains nothing which tends materially to alter the character of the book. Indeed the editor does not appear to have had any other object in view than to improve a text book which he has found by experience to be admirably adapted for the instruction of Hindoo students. In this he has no doubt succeeded. We can only express a hope



that he may, some day show the world a picture of ancient Hindu life and manners,—an undertaking for which he is universally allowed to be eminently qualified

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*Reminiscences of a Bengal Civilian* By William Edwards Esq, Judge of Her Majesty's High Court of Agra. London, Smith Elder and Co 1866

MR EDWARDS tells us in his preface, that throughout his career in India, he has kept notes of all interesting events as they occurred, with the intention of ultimately composing a narrative of his own time. We need only mention that Mr Edwards arrived in this country during the Governor General ship of Lord Auckland, and was employed during the greater part of his career in the Punjab and the North Western Provinces to show that the history of British India has sustained a great loss by the destruction of his manuscripts in the mutiny of 1857. What remains consists of some notes of an overland journey to India in 1837, an account of his adventures during the Rebellion published in 1859, and some reflections on the Indian Rebellion, previously printed for private circulation. The rest of the narrative has been filled up from memory. The best proof of the interest which the previous work awakened is, that four editions of it were exhausted in the course of a year. M. Forgues in his '*Revolte des Cipayes*' has drawn largely from this 'touching narrative' and bears testimony in his most graceful manner to the "matter of fact reality" and sound practical sense which characterize it.

The reader will turn with interest to the XXth Chapter in which the author states his own views as to the causes of the insurrection. He proceeds first to deal with the condition of the native army, which had for many reasons become disaffected. These he enumerates as the weakening of the authority of the regimental officers, stoppage of higher rates of pay for service beyond the Sutlej when the Punjab was annexed, and the depriving the soldiers of certain privileges such as having their letters franked, and making petitions on unstamped paper. The smouldering discontent burst into flame when the famous report of the greased cartridges was spread,—a fabrication which Mr Edwards considers as the immediate and most powerful cause of the revolt. Disagreeable as it seems to our pride, Mr Edwards does not hesitate to declare his belief that the mass of the population in the North Western Provinces sympathized with the insurgents. This he

attributes principally to the fact that a feeling of nationality had sprung up in India, which centred in the king of Delhi, whom we had treated with such impolitic kindness. That the gravity of the crisis was not at once perceived, was due to the fact that the officers who constituted the Government, having resided at Calcutta for the last ten or fifteen years, were utterly ignorant of the feelings of natives in the interior of the country

Another cause, which made the North Western Provinces a focus of disaffection, was the Revenue system introduced within the last thirty years. Though this is by many looked upon as an unmixed good it has in the opinion of the author, completely alienated from us the minds of the people. The effects of it have been the destruction of the ancient proprietary body, and the impoverishment of the tenants themselves. On this subject we cannot help quoting Mr Edwards's remarks, which coincide with the views pretty uniformly maintained by the press of this country. 'We have acted upon the principle, "in our revenue administration, that there is a necessary antagonism between landlord and tenant in India, and that to save the latter from destruction it is necessary to interfere to limit land the lord's demands and to make the one entirely independent of the other. This has always appeared to me an erroneous course to adopt. The dealer in land everywhere is very much in the position of every other dealer in any other commodity and it is his advantage to deal well and fairly by his customers and for Government to interfere between the two is to put in a position of antagonism two parties naturally dependent on each other. But in India this bond of union was formerly strengthened by the existence of very ancient rules and records, that prescribed well known rates in ordinary times, and effectual relief in seasons of difficulty."

Mr Edwards thinks that the spread of education and the progress of material improvements will only tend to unite the natives of India, Hindu and Mahometans alike, in a feeling of hostility to the conquering race. This is the comfortless picture which he draws of the probable future of India. "The stability of our empire can only be secured by the presence, in imposing strength, in salient positions, of an army, differing from the nations of India in language, country, customs, and associations." But he considers that great benefits may be derived from enlisting native soldiers for British and Colonial Service.

Those who differ with the author on many points will perceive from the extracts which we have made, that there are many

thoughts in this chapter worthy of consideration, more than it has been our lot to meet with in longer and more pretentious treatises. Mr Edwards's account of his journey to Bombay through Egypt undertaken to test the practicability of the route for mails and passengers, will no doubt, be thought by some, not the least interesting part of the book

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# THE CALCUTTA REVIEW

NO LXXXVIII

ART I—1 *Railways in India Minute by the Most Noble the Marquis of Dalhousie Governor General of India, dated 20th April, 1853*

2 *Reports of the Special Commissioner Railway Department, upon the affairs of the East Indian Railway*

3 *Ditto upon the affairs of the Railways in the Presidency of Bombay*

4 *Report to the Secretary of State for India in Council on Railways in India for the year 1865 66 By Juland Danvers Esq Government Director of the Indian Railway Companies London 1866*

5 *Supplement to the Gazette of India June 16th, 1866*

6 *Supplement to the Gazette of India December 1st 1866*

“ WITH deference to those from whose views I dissent I have to express a decided opinion that the construction of the works by a Railway Company under the supervision and control of the Government is the best system which is open for the adoption of the Hon’ble Court \* \* \* It does not necessarily follow that because the Government has become a party to the undertaking by guaranteeing a certain interest upon the capital expended and has thus gained a right to closer interference with the operation of the Railway Company than usually or properly is allowed to a Government that it will therefore interfere vexatiously or obstructively It is not difficult to conceive that the Government by its officers

' may exercise a close and vigilant check upon the proceedings " of the Company, without giving any just cause of complaint ' Thus wrote in 1853 that great statesman, Lord Dalhousie in the celebrated Minute which may be said to have inaugurated the vast system of Indian guaranteed railways and we propose to consider how far the opinion here expressed has been justified by the experience of the past The question of Government interference in the management and control of Indian railways after being for many years so uncertain that it could not be raised without provoking controversy, has of late assumed a more definite, and so far a more satisfactory character But the very principles upon which it is based still seem at times to be so imperfectly understood that it may not be altogether a waste of labour if we attempt to place before our readers an impartial statement of the case If we can scarcely hope to achieve a complete solution of the question we may at least succeed in removing some of the many difficulties which appear to surround it.

In order that we may be the better able to take a comprehensive view of the operation of the guarantee system, it will be useful to cast a preliminary glance at its general features The history of railway enterprise in this country is of so recent date that it must still be fresh in the memory of all It will be remembered that when the necessity for railways arose, and when at the same time was demonstrated the futility of expecting that their construction would be effected as in England by purely private agency unaided by the Government of the country there remained but two courses open for adoption Either the Government might borrow the requisite funds from the public and execute the works itself or by making certain concessions to private capitalists, and guaranteeing them against all possible risk of failure it might induce them to undertake the construction and management of the various lines Much was said and written at the time in favour of the direct agency of Government and this method of construction had no doubt much to recommend it in the greater economy of time and expenditure Indeed we understand that a Royal Commission is now sitting in England to consider the expediency and the practicability of buying up the English Railway Companies and working the undertakings by Government But mainly perhaps for the reasons detailed in Lord Dalhousie's Minute the guarantee system was ultimately resolved on for this country, and it then became necessary to ascertain and fix the terms on which the agency of private Companies might be invited and encouraged It was seen from the first that there

were two conditions, without which the required capital would not be forthcoming. In the first place it would be necessary to guarantee a fixed minimum rate of interest upon the amount invested, and it would further be requisite to provide for the surrender of the works by the Companies, and a refund of the actual outlay in case of failure. To these conditions was added a third by which the Government guaranteed the peaceable possession of the land required and the undertaking was thus presented for the support and co-operation of the public as one free from risk with the market rate of interest guaranteed, and with a prospect of handsome dividends in the event of ultimate success.

In return however for such valuable concessions there were certain claims which the Government, acting in the interests of the public was fairly entitled to advance. Such for instance was the privilege of having its mails and troops conveyed free of cost or at reduced rates. Such was the right of determining the direction which a line of railway should take—a right which though originally claimed for political considerations has served to prevent that competition of conflicting interests which might otherwise have resulted had not the great trunk lines of the Empire been finally determined by the Government. It may be supposed too that the Railway Companies duly appreciated the advantages of securing a valid title to their land while they were enabled to avoid the litigation connected with it on which such enormous sums have been thrown away in England. A further stipulation provided for the repayment out of surplus profits of the various sums advanced from time to time on account of guaranteed interest. And as the Government by thus entitling itself to a share of the profits became as Lord Dalhousie puts it a party to the undertaking it thereby gained the right to a more intimate supervision and control of the railway than is usually or properly exercised by the Government in other countries while as the *ultima ratio* it was vested with the right of purchase and summary possession of the entire works in the event of failure by the Railway Companies to perform their part of the engagement.

Such was the broad basis upon which the terms were in each case more particularly defined by legal contract. It will be observed that while the investment is that of the Companies the whole of the risks and liabilities attending the undertaking have been assumed by the Government which not only guarantees a dividend of five per cent upon the capital invested but binds itself to take over the works and refund the original outlay, whenever the Companies may require it to do so.

Nor does the liability of Government cease with the realization of such profits, as will suffice to pay the five per cent dividend without recourse being had to imperial funds. It is important to bear this in mind for in the certain prospect of the railways being shortly in a position to defray the dividend without further aid from Government it is quite possible that the pecuniary assistance received at earlier stages may be overlooked. But the fact is that the Railway Companies will still stand indebted to Government for the accumulated dividends advanced in former years—a debt moreover bearing simple interest at five per cent. Over and above this debt too Government is under the liability of having to purchase the entire works at prime cost if owing to mismanagement or other cause the undertaking proves a failure.

It was therefore in consideration of these risks and liabilities that the Government was vested with certain powers of supervision and control. While making concessions sufficiently liberal to induce private capitalists to invest in what might be regarded as a great national undertaking it was at the same time bound in the interests of the public at large to provide such stipulations as should effect the object in view. While guaranteeing the success of the enterprise so far as the private speculation was concerned it was also incumbent upon the Government to ensure its success as a national convenience to the satisfaction of the public. The people of India have purchased as it were the investment of certain capital in certain public works; they have voluntarily paid taxes for the loan of such capital; they undertake if necessary to refund the whole amount originally subscribed. But they demand in return that the undertaking for which they have made these concessions shall to the utmost be conducted with a due regard to their interests and convenience. That the concerns of the railway be managed with prudence and economy—that its capabilities for traffic be equal to the demands made upon it—that the working arrangements be satisfactory and convenient for purposes of trade—these are conditions on which they have purchased the right to insist. Having once received public support the railways cease to be mere private undertakings; they assume the character of national works, and must be made to conduce to the national welfare. And thus it is that the Government as representing the nation is furnished with such powers as may enable it to provide that the interests of the people of India are not sacrificed to considerations of private gain.

And that our argument may be seen not to be based on a mere theoretical hypothesis, it may be well to estimate the

pecuniary interest which Government actually has at stake Colonel Strachey who prepared an elaborate note on this subject in 1864 thus summed up the financial prospects of the Government in relation to the Railway Companies. On the whole it 'must be considered highly probable that the final interest debt remaining unpaid at the end of the term of ninety nine years will exceed twenty five millions and the debt may be considerably more. This sum will be the virtual contribution on the part of Government to the undertakings which we have supposed to cost seventy millions. In short the Government subsidy in the end will very probably be as "much as fifty per cent on the paid up capital, and it readily may be much more.

If to this we add the loss by exchange which though not anticipated has not the less been a Government contribution and may be estimated at upwards of five millions and a half and a further sum of two millions as the cost of land it will be seen that Government is seriously interested even in a financial point of view in the ultimate success of Indian railways. It may be admitted writes Mr C N Taylor that the social and political advantages of these great lines of railway have been cheaply purchased by Government at the cost of the pecuniary liability which the guarantee system involves but it must always be kept in mind that it concerns the Government even more than the Railway Companies that the undertakings should become remunerative at the earliest possible date.

But though the right of interference is primarily based upon the terms of the contract to which in all cases of doubt or controversy the final appeal must lie there exist two other arguments which present themselves to our mind why a somewhat closer supervision and control should be exercised by the Government in this country than would be properly allowed to the Board of Trade at home. We shall again quote from Lord Dalhousie's minute. The enlistment of private enterprise for the formation of these great works directly but 'not vexatiously controlled by the Government of the country acting for the interests of the public was a principle for 'which I contended several years ago when closely connected "with that branch of Public Works. I may venture without "arrogance to say that if that principle had been then more fully recognized the proprietors of railway property in England and the suffering public would have been in a better condition now than they appear to be'. If then this principle would, as declared by such high authority, have proved beneficial



in the case of English railways constructed and in operation under the very eyes of the shareholders with what greater force will Lord Dalhousie's remarks apply to the enormous works undertaken with English capital in this country where the vast majority of subscribers never set foot 'Of the total number 'of possessors of stock writes Mr Danvers 'those in 'India taking Europeans and natives together, amount to only about two per cent and taking natives alone to 'scarcely more than one per cent The fact is that even supposing the Government to have no pecuniary interest whatever in Indian railways its supervision would, in this of all countries in the world be most desirable in the interests of the shareholders themselves As remarked by Mr G N Taylor in his first Report on the affairs of the East Indian Railway the principal guarantee of the shareholders as well as to the "Government for the integrity and accuracy of the transactions of the railway in India must be the control and final 'audit of the local Government Without such control no rail "way audit however constituted could be entirely satisfactory 'performed as it must be by a stipendiary agency, at this distance from the shareholders and the Board whose presence "cannot fail to exercise a salutary check upon such transactions in England It may indeed be questioned whether in other branches of industry in which British capital has been embarked in this country a more direct supervision by Government over the operations carried on in India might not be productive of beneficial results

Again the intimate connection which has from the first existed between the Government and the Railway in this country has already sufficed to identify them in the eyes of the natives by whom the latter is purely regarded as a State institution Accustomed to see provision made in the Budget year after year for the payment of guaranteed interest, brought perhaps into personal contact with the Government officers employed to take up the land required for the line it is not surprising if the native over estimates the encouragement which Government has afforded to these vast undertakings If there is any defect in railway management it is the Government that is in fault if there is any cause for complaint it is from the Government that redress is sought In proof of our assertion we have only to instance the petition which has lately been presented to the Viceroy by the British Indian Association of the North West Provinces, and which we shall further notice hereafter We are greatly mistaken indeed if the ordinary native of this country does not regard the railway as

a part of the machinery of Government without which its functions would cease or be very seriously impeded

The action of Government in its interference with the Railway Companies having however, been defined by certain contracts according to the terms of which it must always be regulated in future our next step leads us to examine the powers thereby conferred upon the Government We shall then be in a position to consider in what respects and to what extent its interference is expedient

Clause 10 of the contract with the East Indian Railway Company which for our present purpose may be taken as the representative of all such contracts runs thus — ‘ That the said Railway Company and their officers servants, and agents as also their accounts and affairs shall in all things be subject to “ the superintendence and control of the East India Company ‘ as well in England as elsewhere and in particular that no bye laws contracts orders directions proceedings works or undertakings acts matters or things whatsoever shall be ‘ made done entered into commenced or prosecuted by or on the part of the said Railway Company unless previously sanctioned in writing by the East India Company or in some other manner to be prescribed by them \* \* \* \* and that for better enabling the East India Company to exercise the control and direction intended to be hereby secured the said Railway Company shall record and keep in proper books for that purpose full and particular accounts of all their transactions and proceedings including full and true minutes of all their meetings meetings of Directors communications with India and correspondence so as at all times to exhibit thereby fully and truly the state of their affairs and proceedings and that the East India Company and any person or persons appointed by them in their behalf shall at all reasonable times have free access to all the books accounts papers and ‘ documents of the said Railway Company except communica- ‘ tions between the said Railway Company and their legal advisers with power to make copies of or extracts from the ‘ same \* \* \*

Another Section requires that so soon as any portion of the line is opened the Railway Company shall and will forthwith “ commence and carry on the business of common carriers of “ goods and passengers upon the said railway and for that purpose “ shall cause to be run on the said railway so many trains at such “ times and at such rates of speed and between such places and “ with such conveniences and accommodations as the East “ India Company shall from time to time require, and the

‘ said Railway Company shall and will allow the use of the  
 “ said railway to the public on such terms as shall be approved  
 by the East India Company and the said Railway Com  
 ‘ pany shall be authorised and empowered to charge such  
 “ fares for the carriage of passengers and goods and such  
 tolls for the use of the said railway as shall have been  
 ‘ approved by the East India Company and shall not  
 ‘ in any case charge any higher or different fares or tolls  
 “ whatsoever without such approval being first obtained but  
 “ such fares or tolls shall when such net receipts as are herein  
 ‘ after mentioned shall in any year have exceeded ten per cent  
 “ upon the outlay be reduced in accordance with any requisition  
 “ of the East India Company in that behalf but only with a  
 view of limiting the said fares and tolls so far that the net  
 “ receipts shall not exceed ten per cent as aforesaid

The Government it will be observed is here armed with plenary powers. It may be said that such stringent provisions were unnecessary but cases have already arisen which has justified the wise forethought to which they owe their insertion. At the same time we do not for one moment assert that the strict supervision herein contemplated is by any means either possible or expedient indeed in some instances it could not but prove extremely mischievous. Our readers will remember a case of gross negligence of late occurrence in which the accused was acquitted on trial before the High Court on the technical plea that some petty order had not received the sanction of the Governor General in Council. The Government of India and the local Government have in fact far too much upon their hands at present to be able even if it were desirable to undertake the direct management of five thousand miles of railway. And unless the entire management is assumed by Government, their interference with details must with certain exceptions be attended with pernicious results. The proper province of Government consists in exercising a general control only so far stringent as to secure the convenience and safety of the public while consulting the financial interests of the State.

Unfortunately this principle has not always been kept in view. It cannot be denied that the Government officials more particularly during the construction of these railways, have laid themselves open to the charge of needless and vexatious interference. Not only has the official routine of red tapism been productive, in frequent instances of uncertainty and gross delay but by insisting on the discussion of engineering and other special questions, these officers have shown that they have not fully comprehended the spirit of the guarantee system. For, it will

be remembered that one of the main reasons for introducing that system into this country, was the advantage of utilizing the experience which had been gained in England in the construction of similar works. There a whole host of railway engineers and contractors had suddenly sprung into existence, created by the necessities of the times. Railway engineering, in fact, had become almost a distinct branch of the profession. And it was with a view to the employment of such special agency that the Government wisely as we maintain, resolved to entrust the construction and management of Indian railways to private companies. Had the Royal or Bengal Engineers been thought equal to the task half the argument in favour of such a decision would at once have fallen to the ground. It can scarcely, therefore have been intended that the very same officials should be constantly hampering the action of those men, to whom owing to their larger and more special experience it had been rightly determined to entrust the construction of the railways. If every petty detail of construction or management requires to be discussed by the engineers both of the Government and of the railway it is obvious that the work is done twice over and the public has to pay for it. And what is perhaps of greater consequence under such a double government all individual responsibility is lost. The railway authorities can not be expected to answer for the consequences if their plans and specifications are continually being altered without their consent and the result can only end in mutual recrimination when anything does go wrong. This view of the case appears to us so patent that we wonder it has not yet been fully recognized by the Government. Is it that Consulting Engineers and their superiors cannot forego the pleasure of displaying their power in disallowing and modifying the proposals of the railway authorities? Or do they really imagine that without any previous experience in railway matters they have been born with natural talents and a professional reputation superior to those of such men as Messrs Power and Turnbull? However this may be, there can be no doubt that one of the first principles of the guarantee system has been lost sight of. As Mr Danvers recommends the Government should once for all be relieved from interference with details the responsibility of "working out the arrangements decided upon being left to those who are selected on account of their peculiar qualifications to direct the affairs of the various departments."

It may be laid down therefore as a general proposition that the action of Government in the supervision of guaranteed railways is most advantageously exercised in the audit of

expenditure and in such a general control over the working arrangements of the line as may be absolutely necessary in the interests of the public at large. It will accordingly be under these two heads that we shall treat this portion of our subject.

The nature of the guarantee renders it important that the Government should possess the means of checking lavish waste and misappropriation in the construction of the railway which not only swell the aggregate capital on which interest has to be paid but diminish the chances of those large profits to which Government can alone look for the ultimate repayment of the guarantee debt. The necessity for such a check was fully demonstrated by the facts disclosed in the reports of Mr George Noble Taylor, who was appointed by Government in 1863-64 as Special Commissioner to enquire into the affairs of the East Indian and Bombay Railways. Previous to Mr Taylor's deputation the management of most of the Railway Companies in India had been marked by gross carelessness and inefficiency. On the East Indian Railway for instance nearly four and a half millions or more than one fourth of the whole expenditure which had been incurred up to the time of Mr Taylor's commission, remained unaudited in the accounts and this was the case notwithstanding that the Government officers had adopted the very questionable expedient of passing summarily all bills up to the sanctioned amount of the estimate. This fact alone as remarked by Mr Taylor sufficed to throw all the "affairs of the Company into confusion rendering it difficult to check correct expenditure and encouraging waste and extravagance in every department. Mr Taylor's sagacity enabled him at once to perceive that the chief cause of this maladministration was the divided responsibility, which the double government so long as it was not conducted upon correct principles could not but necessarily entail. The Railway Companies, secure in the enjoyment of guaranteed interest upon the whole of the capital expended, looked to the Government as the party more immediately concerned in controlling extravagant expenditure. The Government officer on the other hand while fully aware of the necessity which existed for a strict audit on his part, yet from not being in possession of the necessary details, was powerless to pass the final accounts. It was quite possible, under these circumstances that the Government interference should be at times regarded as vexatious and obstructive.

The true remedy which suggested itself to Mr Taylor is described by him as follows — "What is primarily wanted is that the Railway Agent and the Heads of the Departments

“ acting under him should fully realize their direct and personal  
“ responsibility to the Company as well as to the Government,  
“ for the economical and efficient management of the concerns  
“ of the railway that they should not indolently look to  
“ the Government as the ultimate controlling authority to check  
“ waste and misappropriation of the Company's funds, for  
“ which they alone are accountable but that they should on the  
“ contrary in the interests of their employers make a deter-  
“ mined stand against profuse and unnecessary expenditure of  
“ every kind \* \* \* In proportion to the care and honesty  
“ of purpose with which the railway officers discharge their  
“ responsible duties will be the measure of Government inter-  
“ ference it rests with them to reduce it to a minimum  
But while seeking to impress on the railway authorities a  
due sense of their own responsibility and disclaiming on the  
part of his Government all connection with matters for which  
they were solely accountable Mr Taylor's experience showed  
him at the same time that the Government control even in  
such matters could not altogether be dispensed with So far  
from fettering the Agent by useless and vexatious interference  
with details he saw how his authority might in reality be  
strengthened by the countenance and co operation of the Govern-  
ment Instead of the lax supervision of a double and divided  
Government which had hitherto characterised the connection  
between the Agent and Consulting Engineer their combined  
authority was he felt necessary for the effectual control of  
the subordinate railway officials In this view in place of the  
voluminous and often irritating correspondence between them  
he suggested periodical meetings at which all matters might be  
satisfactorily discussed in the presence of the heads of departments  
The duty of the Government officer at these meetings was thus  
defined While assisting the Agent with his counsel and  
“ with such suggestions as are prompted by his professional  
“ knowledge and administrative experience he will leave him  
“ totally unfettered in his action not himself subsiding into  
“ inaction but trusting to the moral influence of his presence  
“ and advice closely watching the administration in all its details  
“ and exercising his veto wherever extravagance or mis-  
“ management is apprehended The wise and liberal tone  
of these remarks could not fail to secure the cordial approval of  
every Railway Company in India

As regards the actual expenditure Mr Taylor recognized in  
the very terms of the contract the necessity for a separate  
Government audit, and his endeavours were accordingly aimed at  
rendering it as comprehensive and as little obstructive as possible  
The procedure, which he recommended and which is now in

consequence being introduced in regard to all the railways in India, was in general terms a system of authorization followed by a prompt audit by a Government officer in the railway office itself "In such an audit," writes Mr Taylor the minute arithmetical processes and examination of vouchers may be safely dispensed with as having been satisfactorily performed by the railway audit while that of the Government should proceed upon a consideration of the propriety of the various charges with which alone the Government is really concerned

It is unnecessary in a brief review like the present to consider more minutely the details of Mr Taylor's recommendations with reference to the Government audit We are not of those who hold it to be the province of Government to exercise so close a supervision over the railway accounts as may be sufficient to protect the shareholders from misappropriation and extravagant expenditure On the contrary we consider that the agency employed in this country must be held solely responsible to the Directors no less than to Government for the faithful and economical disbursement of the capital placed at its disposal We believe moreover that the professional accountants paid and sent out to this country by the Companies in England are far more competent to deal with the accounts than the military officers who are generally selected for this purpose in India At the same time we can fully see the necessity for such an audit on the part of Government as shall suffice to protect it from unauthorized and improper charges It is important for instance, that the Government should be satisfied that the various sums have actually been expended for the purposes for which they were sanctioned It is further important that the expenditure should be correctly distributed between revenue and capital as any error in such cases cannot be otherwise than prejudicial to the interests of Government But beyond this general control, we are of opinion that the interference of Government is only mischievous as weakening responsibility in the proper quarter and embittering the relations in which the Government and railway officials stand to each other The mere existence of a Government audit, enabled as it is at any time to expose misappropriation or extravagance is a powerful and perhaps sufficient check upon the Companies' agency in this country but it is quite possible that the very virtue of the Government's power may consist in its being kept in reserve, instead of being uselessly and ineffectually paraded

The control exercised by the Indian Government over a guaranteed railway is not however confined to the audit of accounts it claims moreover to exercise a general supervision

over the management and working arrangements of the line. And the reason for this as in the other case is based on the peculiar nature of the guarantee system. The large pecuniary interest, which the Government has at stake in these railways entitles it as we have seen, to a proportionate share in the general control and management. And though no doubt the interests of the Government and the Companies being identical, it might be argued that the former would be sufficiently consulted, if the Railway Companies were allowed free and independent action in the matter yet for what we consider valid and sufficient reasons the Government has not yet thought it expedient to transfer its controlling powers to the Companies' Board of Directors. It is quite true that the Government is even more intimately concerned than the Railway Companies in the financial success of these undertakings. It is no doubt an important consideration to Mr Massey that the Indian finances should be relieved from the payment of guaranteed interest at the earliest possible date. It will be an equally important consideration to his successors to recover as much as possible of the interest which has been paid in former years. But it is perhaps excusable if at the same time the Government subordinates these considerations to that of making the railway more useful and convenient to the public which it represents. If the Government conscientiously believes that the right of interference which it has purchased may be more advantageously exercised in the interests of the public in insisting upon certain improvements rather than in seeking to secure a handsome dividend (and in this belief we are not sure that it has not the cordial support of the public) we are not disposed to quarrel with it because it chooses to exercise an undoubted right. On the contrary we are ready to assert that the view taken by the present Government in this matter is both wise and just. The shareholders after all are but a small body of men actuated by merely private or in other words selfish motives. The Government, as being above personal considerations may be supposed to contemplate the undertakings in a more liberal and comprehensive spirit. It would in our opinion vastly abuse the great powers entrusted to it were it to overlook the claims of the public at large or make them subservient to its pecuniary interest as a private shareholder.

The fact is there would seem to be great misapprehension abroad on this matter and it is right that the case should be fairly stated. At the last half yearly meeting of the East Indian Railway Company the opinion was pretty clearly expressed that the Indian public and as its representative the



Indian Government had manifestly overstepped their proper functions in suggesting certain remedies for the block which annually occurs upon the line in the cold season. On that occasion the chairman, Mr Crawford, is reported to have spoken as follows — Let the proprietors bear this fact in mind that, compared with the large amount of capital embarked in our railway by the people of England, the merchants at Calcutta have subscribed what may be set down as no “thing—(a laugh). On the last occasion when I investigated the relative contributions of capital to our great work by ourselves in England and gentlemen in India I found that you had contributed 99 per cent and a fraction, and the gentlemen in India the very small fractional sum, to make up the 100. Therefore I do not think it quite reasonable that merchants or any body else in India should expect other people to find an unlimited amount of capital for the purpose of enabling our railway upon an emergency to meet every possible demand made upon it. Now the plain meaning of these words is this that the Indian public holding as it does, so fractional a share in the railway cannot fairly claim to have a voice in the management, or expect that its complaints and suggestions should meet with attention. Indeed we are not sure that Mr Crawford’s argument does not go so far as to say that gentlemen in India have no business to complain about the railway at all. But surely one very important fact is overlooked in this view of the case. It may be true that all or nearly all the capital required for this great undertaking has been subscribed in England but it is the Indian public which has attracted that capital to this country by its guarantee of five per cent and which has actually been paying interest now for some time to the English shareholders at the rate of about three millions a year. It is a mistake to suppose that it is by the number of Indian shareholders that the interest of the Indian public in the guaranteed railways is to be measured. Every tax payer in India who has contributed his quota to the imperial revenues from which the guaranteed interest is paid has thereby gained if not the full privileges of a shareholder at least a right to some consideration in return for his investment. And the Indian public is therefore, as we conceive, at full liberty to discuss either at public meetings or in print or otherwise the mode in which it shall enjoy the advantages for which it has paid and to criticise the management of a railway which has been guaranteed by its Government as freely as it might criticise any other public question.

For our own part we fully believe that the Government of the present day is not only consulting the best interests of the public but is doing no more than carrying out its real wishes in introducing those wise measures of improvement and reform by which the railway may be made to contribute more satisfactorily to the comfort and convenience of the public. That it should be necessary for Government to interfere at all is perhaps the most surprising feature of the case but the necessity is unfortunately but too glaring and we can only congratulate ourselves that the Government does not shrink from performing its duty. Indeed, if in any one respect more than another Sir John Lawrence's administration may be pronounced successful we think it has been in his dealings with the railway system of the country. If we carefully examine the annals of late years we shall find the record of many grievous abuses corrected many grievous defects supplied. The circular of the 29th October last published in the *Supplement to the Gazette of India* of 1st December 1866 briefly reviews the results which have already been accomplished towards providing for the greater convenience of passengers more especially natives who form the great bulk of railway travellers and we agree that some instalment of reform in this respect has already been introduced. More strict attention is now paid to the cleanliness of stations and necessaries the due provision of lamps in the carriages and on the platforms at night and the prevention of the overcrowding of third class carriages. Much however remains to be done before it can be said that the paying portion of the passenger traffic on Indian railways has had justice "done to it."

Now we are quite ready to make allowances for the many disadvantages under which the Indian Railway Companies have to work and the numerous difficulties with which they have to contend. We never for one moment anticipated that the traffic arrangements on a single line of rails a thousand miles perhaps in length and a great portion of which is but newly opened should all at once be perfect. We admit that in the necessary employment of so many natives of all classes the management have a very different material to deal with than in Europe. And we are therefore willing to overlook many shortcomings so long as we see the germs of future improvement. But when on the contrary we find the Directors in England not only staying the lines but poohpoohing the suggestions made to them from without we think that the time has arrived for the Indian public to make itself heard and to insist on such improvements as shall effectually secure its safety and convenience. We shall not stay to enquire where the fault lies between the Board

at home and the stipendiary agency in this country. It is quite possible that the very existence of many of the abuses complained of may not be known to the Directors some of them which are peculiar to this country could not probably unless specially brought to their notice, be even imagined by them. But if this be adopted as their line of defence, it carries with it the admission of our position that it is a most fortunate circumstance for the people of this country that the Government is willing to use the large powers it possesses under the contract to compel the Railway Companies to provide for their convenience and comfort. We are not of course in the position to say that the agencies in India *never* make suggestions to their respective Boards or call their attention to particular abuses of which they might be supposed to be ignorant. But it is at the same time the fact that in the great majority of cases in which remedial measures have been introduced of late years the pressure has had to be applied from without. Nay it is not unfrequently the case that the task of devising the proper remedy for the abuse complained of has been left entirely to the Government. Perhaps it is no more than natural if the agents seeing the eager expectation of both Directors and shareholders for an increase of profits do shrink from suggesting any proposal which by involving additional expenditure could not but be unpalatable to their superiors. However that may be and whether or not there are abuses to which the Directors in England may be naturally blind they have certainly no excuse to plead for voluntarily shutting their eyes to such as are carefully and deliberately brought to their notice. At the meeting to which we have referred Mr Crawford was pleased to characterise the block in last season's traffic on the East Indian Railway as due to an adventitious demand and he proceeded to argue that the line as at present conducted was fully equal to its ordinary requirements. And yet we are bound to say that the Board could not be ignorant of the loud reiterated complaints of the delays attending passenger trains no less than goods. It is a fact that at the present day even a train can scarcely travel 300 miles on the East Indian Railway without being from two to three hours late. And it is no slight inconvenience that passengers should be kept waiting for hours often at road side stations which may be totally unprovided with accommodation, exposed to the inclemency of the weather or the danger of a tropical sun.

Nor is a want of punctuality the only defect in railway management of which the European may complain. Our

object however being rather to discuss the principles of the guarantee system than to point out particular abuses we shall not dilate upon them here. It will be sufficient if we draw attention to the want of cleanliness in the carriages the want of railway porters—paid servants of the Companies—at the principal stations and the want of protection from the rain or the sun's rays on the platforms. These and other defects have been repeatedly pointed out though little or nothing has yet been done towards providing a remedy. In all the distance between Calcutta and Delhi, wrote the *Friend of India* a few weeks ago the railway traveller is 'only reminded of travelling at home by the absence of every pleasure he has been accustomed to associate with that species of progression. If he has not suffered personally or not excessively, "he has witnessed the sufferings of others more poor and humble and to a right thinking Englishman the difference will not appear very material. he will also have witnessed an amount of neglect of and contempt for the public such as we venture to assert was never before exhibited either in England or abroad. So long as this is the unanimous voice of the press in this country it cannot be surprising if the Government while fully alive to the importance of the railway yielding a speedy return should be still more impressed with the necessity of guarding against that policy which would seek to amass large profits at the sacrifice of the convenience and perhaps the safety of the public. In the early prospect of dividends exceeding that guaranteed under the terms of the contract this consideration is perhaps not ill timed. The Government can afford to wait for its moiety of the surplus profits and the tone of the press as quoted above is ample evidence of the feelings of the public on this question. We believe then we are not mistaken in asserting that the Government will only satisfy the reasonable expectation of Europeans in this country by insisting that the railways shall be made more useful for purposes of trade and as a cheap and speedy mean of communication \*.

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\* At the same time it must be admitted that there are some few comforts conceded to railway travellers in this country which are not met with at home. Such are the provision of sleeping carriages the possibility of securing a reserved compartment by payment of four fares only and (though not generally known) the privilege allowed to ladies and invalids of taking native servants in the same first class carriage (on payment of second class fare only). But after all these are concessions demanded by the nature of the climate and the very high rate charged for first class fares.

Regarding the control of their subordinates by the Companies officials the Government, we think has been wanting in its duty. Although the railways have been the cause of introducing numbers of non official Europeans into the country and in some places of thus creating large

And if on the other hand we contemplate the position of the natives with regard to these great undertakings we shall find that the present policy of Government has not only been productive of the most successful results, but is no more than in accordance with the wishes of the community. We have already seen how naturally the native of India comes to regard a great institution like the East Indian Railway Company as a powerful instrument of Government and in this view we ventured to express our conviction that the general powers of supervision and control reserved by the Government under the contract would in their case be found not beneficial merely but absolutely necessary. The natives when travelling, have wants and requirements peculiar to their habits and country. Such requirements do not for the moment enter into the calculations of the Directors in England while the agency in this country if not equally ignorant may be powerless to supply them. The suffering and inconvenience, which have thus been entailed upon the native public have we venture to say been barely compensated by the increased facilities of locomotion. It was fortunate that the Government retained the right of interference and has been enabled to protect the weak from what may not unnaturally appear the somewhat grasping policy of the English capitalist.

Now we are not going to write any maudlin sentiment regarding the likes and dislikes of the native of India. We will commence by admitting, that in many respects we think him very ignorant very superstitious and very foolish. We believe that the railway itself has been the means of effecting great good in loosening the bonds of caste and in the general diffusion of knowledge. But we cannot shut our eyes to the plain fact that there are notable grievances connected with railway travelling in India to which the natives whether Mahomedan or Hindoo are peculiarly subjected. The *Supplement to the Gazette of India* of 1st December last contained a petition on this subject, which was lately presented to the Viceroy by the British Indian Association of the North West Provinces signed by no less than 3251 names. The

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towns there has not been so far as we are aware the slightest extension of the judicial machinery for the purpose of repressing violence and fraud. A large town like Jamalpore for instance containing upwards of a thousand Europeans ought to have its resident Magistrate. So long as the parties and witnesses have to travel six miles to the nearest court it is impossible to say what number of cases are not hushed up in the workshops. At smaller stations where Europeans are congregated as at Dinapore the resident Engineer might, with advantage, be appointed an Honorary Magistrate and Justice of the Peace.

petition in question treats of certain specific grievances to which the natives are subjected and the remedies by which it is proposed to meet them. Such an expression of public opinion cannot be disregarded by a Government which has in an especial manner taken upon itself to be the guardian of the public interest in these great undertakings. As remarked by the petitioners in such a momentous matter as involves daily the health, comfort and even life of tens of thousands of the very poor, ignorant and quite helpless the Government ought to be more ready to hear than we are to pray and to be even 'beforehand with us in its care and solicitude for our welfare.

Though unable to acquiesce in all that is stated by the petitioners and failing to see the necessity for some of the measures proposed we must admit that there is unfortunately too much truth in the complaints of the neglect with which the wants of native passengers are treated. From the moment a native passenger enters a railway station to the time of arriving at his destination his life is felt to be a burden to him. The delay in waiting for the train and the want of proper shelter and accommodation at the stations is the first subject noticed in the petition.

What does this waiting involve? ask the petitioners. There is no shelter from the fierce continuous rays of the burning sun. There is no shelter from the heavy and drenching showers of rain lasting for hours. There is no shelter from the hot winds and clouds of dust. There is no shelter from the cold cutting blast. In winter and in summer and in the rains at all times alike, these masses of weak ill clad human beings are left exposed to all the inclemencies of the wind and weather and suffer and contract diseases and die like brute beasts. Many a 'poor native's illness or death is traceable to sufferings at a 'railway station while waiting for the train. Who indeed has not witnessed the crowds of natives clustering around the entrance to the station waiting till the hour of admission shall arrive? And yet the remedy is simple and inexpensive. So long ago as 1864 Mr Taylor urged the erection of light, suitable sheds within the station compounds. At the larger stations they should be supplied with restaurants—another want which has made itself heard in the petition we are considering.

Nor even when admitted into the station are the sufferings of native passengers at an end? If they are sufficiently fortunate to escape being cheated in the purchase of their tickets they have nevertheless to submit to the grossest abuse and ill usage from the lowest of the railway officials. Huddled and crowded like cattle into carriages often unprovided even

with seats,\* the doors are shut and locked upon them and there they must remain till they arrive at their journey's end. And here we must notice that remarkable species of casualty pointed out by Mr Danvers *Found Dead*. It appears, ' writes that gentleman that the number of persons so found ' are considerable death it is supposed being caused by the effects of the great heat upon those who undertake jour ' neys and religious pilgrimages when they are physically unfit for the exertion. This may be to some extent correct but are none of these numerous deaths to be attributed simply to overcrowding? We have ourselves seen some third class carriages in transit which suggested to us unpleasantly enough the miseries of the Black Hole.

And this leads us to say a word regarding the safety of railway travelling in India. We observe from Captain William's Note on Railway Accidents published as an appendix to Mr Danver's Report that the number of passengers killed and injured from causes beyond their control was in 1864 377 per million against a proportion of 262 in Great Britain and although the very serious increase of that year over previous years is explained as having been occasioned by two fatal accidents on the Great Indian Peninsular Railway the broad fact must not be overlooked that whereas if accidents in England are not in many cases attributable to excessive speed, their fatality is certainly thereby affected yet this element has scarcely entered into the calculation on the Indian lines. Considering the number of accidents on the railway in this country the number of persons actually injured is comparatively small but this fact does not diminish either the apprehension of danger or the risk of detention. It would appear that there were no less than 345 accidents during 1864 85 of which arose from the action of pointsmen. Of these 85 again, no less than 59 occurred on the East Indian Railway and 14 cases of collision are attributable to the same cause. ' These ' accidents arise at facing points and many of them in shunting ' within stations. Neither do they arise from the same causes, as in England of mistaken or neglected signals. On the contrary, they are generally the result of gross ignorance and incompetency. It is well known how far a native's presence of mind may be trusted in an emergency. We believe it is not at all an uncommon case for a pointsman utterly reckless of

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\* We saw it suggested somewhere the other day that the capacity of the third class carriages on the Punjab Railway had been calculated according to the *weight* of the passengers rather than their accommodation.

the consequences to reverse the points when half the train has passed over. Possibly he has his doubts as to the line on which the train should properly be shunted and thinks to get over the difficulty by shunting half of it on each. Of four accidents on the lower division of the East Indian Railway, the particulars of which have reached us within the last week \* no less than three we are given to understand had their origin in similar freaks which would be ludicrous were they not attended with such destruction of life and property.

The remarkable want of civility displayed by the railway officials and the necessity of setting aside special compartments for the use of such employees of the Company as have to travel are points which have not been noticed now for the first time. It is believed that were the recommendation carried out and its observance strictly enforced the second class carriages would find far greater favour among the native population and the traffic receipts would be proportionably increased. But we have said enough we think to prove the assertion with which we commenced that there is still much which demands correction and improvement in the management of the railways and which it is fitting should receive attention before the declaration of a higher dividend than the five per cent of the guarantee. And in the end the policy recommended will prove to be the best in an economical and financial point of view. The surest way to make the railway pay must be to make it popular. As quaintly put by the petitioners of the North West— The more that the

Government of the country will make the railways to be 'as really free to every one as are its own wide territories' the more will the railway prove an overwhelming success.

It remains however for us to notice as another instance of the necessity which is laid upon the Government of requiring that these great undertakings fostered as they have been at the public expense and constructed at the public risk shall conduce to the public convenience the block in the traffic of the East Indian Railway during the last cold season and the proceedings to which it gave rise. In an impartial and comprehensive Resolution, published last June the Government of India weighed very fairly the shortcomings of the railway authorities and the undue expectations of the public. 'It is a matter of great regret,' write the Government that the public should "again have had reason to be disappointed with the facilities afforded by the railway for the transport of its merchandize." But it is not always borne sufficiently in mind that the traffic



‘ that has sought the railway especially in the bulky staple of  
 “ cotton has exceeded all anticipations which had been formed  
 ‘ on the subject. Further it does not seem to be remembered  
 “ that the traffic in goods is compressed to a very great extent  
 ‘ within the cold season months and that during that period  
 “ a strain is consequently brought on the railway which a com-  
 ‘ paratively recently established means of communication can  
 “ scarcely be expected to meet adequately And, lastly the  
 ‘ difficulties and delays that even with the best management  
 ‘ are likely to attend the supply from distant Europe of the  
 “ *materiel* required to stock such an undertaking, as the East Indian  
 “ Railway are too readily put out of consideration by the public  
 ‘ in its anxiety and impatience to see the railway become a  
 ‘ perfect and unfailing means of communication

The Governor General in Council does not call attention to  
 “ these points with any desire to gloss over defects in the  
 ‘ administration of the railway or excuse want of foresight on  
 ‘ the part of those responsible for as well as interested in making  
 ‘ it thoroughly efficient But they should in justice receive due  
 weight and whatever failure to meet the demands for trans-  
 port there may have been it should be remembered that the  
 work done by the railway in the second half of 1862 was 50 per  
 “ cent in excess of that done in the corresponding period of 1864  
 and from the beginning of 1866 up to the 18th March 17 per  
 cent in excess of the similar period of 1865

The conclusion arrived at regarding the block in the traffic  
 goes to show that it was mainly owing to a deficiency of engines  
 and rolling stock for which the Directors in England were solely  
 responsible It would appear that so far back as 1864 the  
 Government perceived the necessity for a large addition to the  
 existing stock of engines in this country and pressed the matter  
 upon the attention of the Agent and the Home Board The Direc-  
 tors however unable to realize the emergency refused to com-  
 ply with the requisition and it is stated that engines indented  
 for in 1862 were still due The Directors in fact would  
 appear to have adopted the view of the case expressed by one  
 of the shareholders at the meeting above referred to, that every  
 thousand pounds added to capital places them further off their  
 increase on the five per cent In looking at these things  
 ‘ we as Directors (thus spoke the chairman) are in the  
 “ habit of regarding the interests of our shareholders and  
 “ with our stock during the year at a very little above par,  
 ‘ I apprehend that, if policy had suggested it our means of  
 ‘ carrying it out would have been circumscribed by the difficulty  
 “ of finding the money” We do not for one moment blame the

Directors for looking after the interests of the shareholders in any manner in which they and the shareholders shall agree in approving. But at the same time we cannot but draw their attention to that clause of the contract under which their dividends are secured requiring the Railway Company to 'provide to the satisfaction of the East India Company a good and sufficient working stock of engines carriages and other plant and machinery for working the said railway and carrying on the business and traffic of the same'. And we might perhaps be disposed to dispute the position that every further outlay diminishes the reproductiveness of the undertaking. So long as the line is manifestly understocked the traffic receipts cannot possibly attain their maximum even though they reach £45 per mile per week while the working expenses must be necessarily disproportionately high. Well indeed does the Government remark — What is now required is that the Directors shall appreciate their position, and no longer pursue the suicidal policy of starving the line in respect of locomotive and rolling stock. Whatever may be the future of the cotton trade the growth of other traffic is so promising that the Directors may accept it as certain that the workshops in India if supplied to the full with material will not be able to stock the line adequately before the opening of through communication with Bombay and the completion of the double line to Allahabad.

We have endeavoured in the foregoing to determine how far the railways of India under the guarantee system may be worked successfully in the interests of both parties to the contract. We have seen that the shareholders who have found the capital required for these vast undertakings are naturally desirous of securing as speedy and as remunerative a return as possible. The Government on the other hand while equally concerned in their financial success considers it of prior importance that the railways should really be made to subserve the true interests of the public as the most perfect means of communication in the country and it therefore feels itself not only justified but actually called upon to use those powers which it possesses under the guarantee in insisting upon such improvements as shall render the undertakings more useful for purposes of trade and more conducive to the comfort and convenience of passengers. But while thus subordinating the prospect of immediate and handsome dividends to the necessity of extending and improving the facilities secured to the public by the railway the Government does not lose sight of the fact that, in making the institution popular in the broadest sense of the word, it is taking the surest steps towards placing its

remunerativeness beyond the shadow of a doubt. And even if, as would seem to be anticipated by some of the shareholders, each present increase of capital diminishes the extent to which the whole will ultimately be reproductive, still judging from the complaints of individuals and the general tone of the press, we believe that the public would vastly rather see the guaranteed railways conducted with a stricter regard to its safety and convenience, than benefit from some small reduction of taxation which would only be so insignificant as to be scarcely appreciable. And we have further endeavoured to point out how owing to the absence of the Directors from the country and other causes there was not only an *a priori* fitness in the nature of things that the interests of the public in these great undertakings should be adequately protected by the Government, but that past management has actually demonstrated the necessity which exists for such interference.

Whether or not the guarantee system be theoretically the best, is of course a matter of opinion that it has proved the best for India we ourselves entertain no doubt. We are quite aware that a different opinion has found favour with some whose influence and intelligence entitle their views to considerable weight. Mr Robert Knight of the *Times of India* lately addressed Lord Cranborne to this effect —

The drawbacks to the guarantee system are patent to the world. We have divided responsibility and incessant clashing delays, and ruinous expense as the result. The guarantee deadens the interest of the shareholders in the economic construction and profitable working of the lines while the interference of the Government disturbs their executive. There is room moreover for looking with jealousy upon a system which leads to our borrowing capital in England upon much less favourable terms than the Government might command if it chose. I think that the guarantee system should be made to give place as far as possible to one not so calculated to weaken private interests in the results.

Mr Knight proposes that Government shall either borrow money from the public to lend again to the Railway Companies, or float the Companies debentures on the Stock Exchange with a Government endorsement. But it is very doubtful whether the first condition of this proposal would succeed. Looking at the small percentage of railway shareholders in this country even in guaranteed railways we are inclined to doubt whether the projectors could raise the required capital even in India without a guarantee. And even if the system recommended by Mr Knight be feasible, there are grave objections to its

introduction The *Economist* of the 17th November last points out some of these The writer regards both the borrowing and lending as equally undesirable The Government would live in the danger of a vast floating debt which may become due at a panic which will be growing in annual interest because the original lenders at low interest are going out and no new ones coming in which in time of war or any real collapse of public credit might perchance be ruinous

It was indeed formerly suggested that Government might buy up the peculiar privileges of Railway Companies and work the railways themselves A Royal Commission is now sitting on this idea, for which there is very much to be said though it is opposed to English notions and English habits and is possibly beyond the strength of our imperfect system of administration But at any rate it promises much It promises a clean sweep of the present divided and costly management it promises uniformity of tolls and rates it promises a regard to the convenience of the public it promises a complete disregard of local selfishness it promises (rightly or wrongly) a vast fund which the nation might earn by managing locomotion cheaper and more profitably than now and which it might apply in aid of its finance as it liked For these great objects it might be right to incur some financial risk we do not say it would be right but it *might* But none of these advantages are offered by mere loans to the present Companies These loans will not abolish the present Companies but will aid them will not destroy the present divided management but will perpetuate it will not root out the sectional pettiness of little railways for these are the Companies which want the Government money most, and without some aid can hardly get loans of their own The scheme for lending the Government credit to the railways without obtaining an entire control of their management has the inherent characteristics of a bad middle course, it incurs the evils of a bold and tempting proposal but nevertheless misses its advantages

On the whole we may perhaps agree in the following conclusion extracted from Mr G N Taylor's Reports 'Whatever objection may be urged against it, it is certain that the guarantee system with the double government which it involves, has been on the whole the best suited to the peculiar circumstances of India \* \* \* It is true that under the guarantee the liabilities and risks are, in reality wholly incurred by the Government, but it must not be forgotten that in the infancy of these vast and novel undertakings, a purely Government agency in this country, without the aid and co-operation of Companies in England, practically versed in these matters,

"on the other hand it is equally evident that the control of Government, notwithstanding the weakened responsibility which it has sometimes occasioned has alone averted the signal failure which not unfrequently attends similar private undertakings in England and the chances of which are increased tenfold when the operations are conducted at so great a distance from the presence and influence of the shareholders and where public opinion is comparatively weak

We shall close our notice of the railway system of India with a brief review of their position derived from Mr Danvers' Reports for 1865 66

One of the most remarkable features in the Budget of the present year which attracted the notice of the public at home no less than in this country was the enormous diminution in the sum which it was thought necessary to set aside for the payment of guaranteed interest In place of the two or three millions of former years against the million and a quarter of last year, only a sum of £533 000 or little over half a million is this year estimated as sufficient to supplement from the imperial resources the amount by which the net traffic receipts fall short of the five per cent dividend A reduction so palpable is as satisfactory as it is extraordinary and gives the highest promise of the future financial success of these undertakings The plain meaning of the figures is that of about three millions of guaranteed interest little more than half a million or about one sixth only, has to be contributed by the Government while about five sixths are contributed by the railways themselves even in their incomplete state What may not therefore be expected when the lines are opened throughout? That this estimate is not over sanguine, Mr Danvers has proved by the actual results of the year 1865 Taking the accounts of the only five lines which had been furnished to him, the net amount earned by these Railway Companies last year he writes is thus shown to be '£1 708 592 The guaranteed interest paid to the same Companies during the year was £2 260 204 But this amount applies to a capital of £45 204 080 while the sum "expended on the lines earning £1 708,592 does not amount "probably to more than £41 150 000 the guaranteed interest "on which would be £2 057 500 The amount earned by the "open lines would therefore fall short of the sum paid for the "guarantee on the capital representing those lines by only about "£349 000,' or by about one sixth of the total sum

And the accounts of the Great Indian Peninsular Railway for the first half of 1866, published in the *Gazette* of 1st December last, afford even a more striking proof of the more than probable

railway for the half year were at the rate of 9.39 per cent per annum on the estimated cost of the open line, and 5.91 per cent on the total subscribed capital. When it is remembered that little more than half the line has yet been opened and that the profits on this portion have already attained a rate of nearly 10 per cent. per annum it cannot but be admitted that the future of this Company is most promising. At least it will, we believe, have the credit of being the first line which has not only paid the guaranteed dividend without assistance from imperial funds but has actually begun to reimburse the Government for the previous payments of interest which have been made on its behalf.

The total expenditure of capital on Indian guaranteed railways up to the 1st May last amounted to £60,645,000. The total sum which it is estimated will ultimately be invested in the undertakings as at present sanctioned is upwards of 81 millions sterling. About sixteen millions have been paid by the Government during the past fifteen years as guaranteed interest on the capital raised by them, while nearly five millions have during the same time been received by Government as the earnings of the opened lines. The guarantee debt therefore may be said to stand at eleven millions. To this sum we may perhaps add other two millions as the amount which will be required during the next five years as the Government contribution to supplement the earnings of the railway for the payment of a five per cent dividend and we may assume that in 1870 the guarantee debt will amount to thirteen millions. But the various sums paid from time to time as guaranteed dividends carry interest at five per cent and we may therefore assume that the interest due upon this accumulated debt will not fall far short of its moiety or six and a half millions. Using these data therefore we see that if in 1870 when the network of the grand trunk lines will be completed these undertakings are expected to be self-supporting if not to yield a somewhat larger dividend to the shareholders than that guaranteed under the contract they must yield such surplus profits that the Government moiety may suffice to defray the annual interest on thirteen millions. In other words it may be said that if the whole of the guaranteed railways realize in 1870 average net profits equal to  $6\frac{1}{2}$  per cent upon the outlay not only will the shareholders receive a dividend of  $5\frac{1}{2}$  per cent but the Companies debt to the Government will no longer be increasing. Any higher rate of profits will of course reduce this debt to the extent of the Government moiety of the surplus profits less the interest due on the unhliquidated portion of the guarantee

debt Thus with average profits of  $7\frac{1}{2}$  per cent we might expect to find the interest debt of six millions and a half paid off in about nineteen years and the accumulated guaranteed dividend debt in a further period of twenty two years

As regards the rate of profits which these undertakings actually will yield, it is obviously useless to speculate at present It will be observed that our calculations above are based on an average for the whole of the guaranteed lines, and while there can be little doubt that some of the most important lines such as the East Indian the Eastern Bengal and the Great Indian Peninsular will perhaps even exceed the figure at which we have estimated the average profits when the complete system is in ull operation there are other railways which may not be in a position to reimburse to Government the annual dividends guaranteed to the shareholders under the contract We have simply regarded the question as it concerns the Government and the tax paying public For the purposes of the Stock Exchange each line must be judged upon its own merits and with all its peculiar circumstances taken into consideration The cost of construction, for instance has varied on the different lines from £10 000 to £24,000 per mile the working expenses vary from 45 to 95 per cent. of the gross receipts In calculating the returns, these and similar considerations must be taken into account which it would be out of our province to discuss here At the same time we may perhaps venture to assert that experience has already proved that railway enterprise in this country will be remunerative to the shareholder and unattended as it is with any of those risks which usually accompany speculations of this nature it offers the most valuable opportunities for the investment of savings and private capital

‘ The traffic on the principal lines during the past year ’ writes Mr Danvers, “ has exceeded the most sanguine expectations ” and it is clear now that it ‘ will be enormous and that for ‘ some time to come it will increase in proportion to the means ‘ provided for carrying it As it is augmented a proportionate “ decrease of the working expenses may be confidently expected, “ so that there is a fair prospect of an annual improvement in the “ revenues ’ If, at the same time more adequate arrangements are made for facilitating the carriage of goods and for securing the safety and convenience of passengers we may predict that the guarantee system will ere long be recognized by all as no less profitable to the private capitalist than it is adapted for meeting the peculiar requirements of the general public

- ART II—1 *The Military Operations at Cabul, with a journal of imprisonment in Affghanistan* By Lieutenant Vincent Eyre late Commissary of Ordnance at Cabul John Murray 1843
- 2 *Prison Sketches* By Lieutenant Vincent Eyre Dickenson and Sons 1843
- 3 *Metallic Boats and Floating Waggon for Naval and Military Service with some observations on life preserving cars* By Major Vincent Eyre Bengal Artillery London Smith Elder and Co 1856
- 4 *The Mutinies in Oudh* By Martin Gubbins 3rd Edition London Bentley 1858
- 5 *Two Months in Arrah in 1857* By John James Halls Longman Green, Longman and Roberts, 1860
- 6 *Macmillan's Magazine* for September 1863, and March 1864 Macmillan
- 7 *Parliamentary Blue Books*

THERE are few who would deny that when in his romantic interview with Sidonia at the roadside inn the youthful Coningsby expressed his opinion that the age of adventures was past he simply gave utterance to the prevailing sentiment of the age to a conviction deeply implanted in the minds of the nation of which he was supposed to be a member. Certainly nine hundred and ninety nine men out of every thousand would have been prepared to endorse the remark. Not so however, with the reply which that observation called forth from Sidonia. The apothegm that adventures are to the adventurous" would seem to the prosaic Englishman of the nineteenth century terribly out of date. It would at once take his mind back to the more stirring periods of European history to the times of tilt and tournament of Cavalier and Roundhead or to that last outburst of poetic enthusiasm—the forty five. Were it possible even for his mind to turn to that great Eastern land, in which for so many years the adventurers of Europe found a congenial field, it would only be to reflect, that with the suppression of European rivals, and the establishment on the ruins of the Mogul and Mahratta empires, of the order loving and



order-enforcing British authority, the power of individual action must have been greatly compressed and the chances of "adventure" become indeed few and far between. From the majority of our countrymen the reply of Sidonia, therefore, would have met more criticism than approval.

We are certain, nevertheless, that that reply evinced a profound knowledge of human nature. Adventures are still to the adventurous. The man who is content to spend his energies in amassing wealth or in purely literary labour, will probably descend to his grave without one incident in his career likely to touch the heart or to rouse the sympathies of a community. It is equally possible that the active duties of an active life may have little effect upon some natures: that though placed among stirring scenes, a man may content himself with the bare performance of his duties without caring to step one inch beyond them. Some may not feel the capacity; others not possess the inclination, for adventure. But there are few who have lived many years in this country who will deny that sooner or later, the opportunity for adventure will present itself, that when it does come though some may allow it to pass there are others within whose breasts the old fire of English chivalry still burns strongly and brightly and who spring forward eagerly to seize and to use it. The events even of the last ten years have abundantly proved that adventures are still to the adventurous.

If we were to seek a period during which more than in any other in the last few years the truth of this apothegm might be illustrated, we should take the period of the Indian mutiny. It would need but a very cursory examination of the history of that period to elicit the fact that the men who had distinguished themselves before—who had shown themselves adventurous on former occasions—came forward to a man to increase their previous reputation and to add to their old honours. We need but mention the names of the Lawrences of Outram, of Chamberlain, of Nicholson, of Havelock, and of the subject of this sketch—amid many others—to show the truth of this assertion. Others again to whom no opportunity had been granted before eagerly seized it when it came. The exploits of all of these have never been known probably never will be known to the world. Deeds of great coolness and daring performed under most trying circumstances in isolated places have been to a certain extent, overshadowed by the more striking achievements of the leaders of our armies. To the Government of India the credit is due that in many, we believe in most, cases, the daring and able men, who have so distinguished themselves,

have been sought out and rewarded. The history of their achievements has however to be sought for in the reports which lie buried in the archives of Government offices. Were these unearthed and examined and the stories of personal adventure carefully extracted there is more than one Government servant now mixing quietly and unostentatiously with his fellows whom the public would mark out as a hero.

It is scarcely possible—at least it would require more time and leisure than we have at our command—to seek out the services of such men. The time may and we hope will come, when it may be otherwise. We need scarcely repine at the delay inasmuch as it affords us the opportunity of presenting to the public a sketch of the career of those whose great deeds are known and acknowledged but with regard to whose personality—to the promise of which the performance was the fulfilment—the public is in utter ignorance. This is a task which in the case of military men is comparatively easy. Their deeds are written in the public despatches and in the published journals of contemporaries. The Blue Book is a safe guide to a fair and impartial decision. And supplemented as this often is by personal knowledge and the experience of living comrades it becomes possible to draw up a narrative at once full accurate and connected without the necessity of diving into the dusty pigeon holes of record offices.

Of all the adventurous acts of those stirring years, 1857 and 1858 there was not one that entailed more responsibility on its projector that was more prudently yet more daringly conducted or the failure of which would have produced graver consequences than the march to the relief of Arrah by Major Vincent Eyre. Its success changed at once the aspect of the campaign. To use the words of Sir Cecil Beadon then Secretary to Government it ‘virtually suppressed rebellion in Shahabad. It acts of devotion to one’s country wrote Sir James Outram to Major Eyre in 1857 entitle to the cross then surely the devotion you displayed at Arrah to your country and the advantage “that resulted to the country from that act, ought to secure it to you of all men. Yet although this great achievement is not forgotten, the chief actor in it would seem to have been lost sight of. In the shower of rewards lately poured out his name at least has not appeared. He himself has retired from the service, his active military career has apparently closed for ever. Still with India with the victories of 1857, with the first great act which checked the success, and dealt a fatal blow to the machinations, of the tall

then triumphant insurgents, must his name ever be connected. If he has not obtained the full meed of reward to which that victory entitled him the fault is not his. He has still the consolation of feeling that by his bold march and prudent daring he saved the lives of thousands and enabled the Government, assured by his conduct of the safety of Bengal and Behar to turn every energy to the suppression of the mutiny in the North West. We have alluded to the estimate formed of Major Eyres conduct on that occasion by Sir James Outram. It is however, interesting to know that this was but the crowning act of an adventurous career that it was if we may so speak the consequence of his antecedents that the Eyre of Arrah was but the development of the Eyre of Afghanistan. That our readers may see and judge of this development that they may note the early promise matured subsequently by mental training till opportunity presenting itself in 1857 was eagerly seized at and used to so great an end we purpose devoting a few pages to a sketch of his career.

Vincent Eyre was born on the 22nd January 1811. He was descended from the Eyres of Peak a very old Derbyshire family, noted for its loyalty to the Crown during revolutionary periods. His direct ancestor Colonel Thomas Eyre commanded a body of horse at Marston Moor and is described in the family records as having thrice encountered Oliver Cromwell in single combat forcing his retreat and dying of wounds then received.

Eyre was educated at the Royal Grammar School, Norwich under the Revd Dr Valpy of classic fame. Among his school contemporaries who have since become distinguished (though several years his senior in age) were Rajah Brooke of Borneo, Sir Archdale Wilson of Delhi and the ill fated Colonel Stoddart of Bokhara.

In December 1828 having completed his course in the Military College at Addiscombe he received his commission as 2nd Lieutenant in the Bengal Artillery, and landed in Calcutta on the 21st May 1829. Among his fellow passengers were Dr Marshman the great Serampore Missionary, and Ensign Lugard now better known as Sir Edward the Under Secretary of War. Lord W. Bentinck was then Governor General of India, and rigid economy was the order of the day. The fiat had just gone forth for extensive reductions in the Artillery, whereby Eyre found himself, on arrival, a supernumerary on the regimental list; with the very dreariest prospects of promotion.

Those were, indeed, depressing times for young officers who felt an interest in their profession. From the close of the first Burmese war and capture of Bhurtpore in 1826 to the

beginning of the Affghan campaign in 1838,—a period of twelve years—there reigned (with a few unimportant exceptions) an interregnum of profound peace during which a cloud of despondency hung over the armies of India. Economy had in fact been carried to a pernicious excess and operated, along with other causes with evil effect on the *esprit de corps* of both officers and men. To young officers of ardent temperament a prolonged adherence to regimental duty under such circumstances seemed little better than an utter stagnation of existence hence arose that almost universal longing and striving for Staff and Civil employ whereby many regiments came soon to be deprived of their best officers for whose scientific and general attainments a demand had been created by the necessities of the public service in the Revenue Survey and other Civil Departments of the State. But, although some such tempting opportunities of escape from regimental ennui and thralldom offered themselves to Eyre he preferred to stick by his corps finding a sufficiency of useful and profitable occupation in his books and professional pursuits—as well as in watching over the welfare of his European soldiers a sphere of duty wherein he ever continued to feel a peculiar interest.

In 1831, it was his good fortune to make the acquaintance afterwards ripening into intimacy of Henry Lawrence, then a captain of Artillery and commencing that useful public career which carried him onwards from the humble office of Revenue Surveyor to be Governor General of India. They first met at the death bed of an intimate friend and brother officer who had been brought up with Lawrence as a foster brother and who had he survived bade fair to emulate the greatness and goodness of the latter.

At the close of the same year while cruising off the Sand heads in a pilot schooner Eyre had a narrow escape from foundering in a hurricane the dismasted vessel being lifted by a happy combination of wind and waves during the spring tide, over a dangerous reef into deep soundings, just when its destruction had seemed inevitable.

On promotion to 1st Lieutenant in 1837, Eyre was posted to the Horse Artillery, with which he served until summoned in 1840 to proceed to Cabul as Commissary of Ordnance for which post he had been specially recommended by the Commandant of Artillery to Lord Auckland's Government.

The Affghan war had just passed successfully through its first stage. Our victorious troops held the country they had won, in trust for the legitimate ruler, Shah Shoojah, whom

we had reinstated from his exile at Loodiana. A new force organized by English officers was in course of construction wherewith to maintain the puppet king upon his throne after the contemplated withdrawal of the British army of occupation. The dethroned usurper, Dost Mahomed, unable to keep the field against the latter had surrendered himself to our Envoy at Cabul and although occasional signs of discontent and latent disaffection were still apparent among tribes and amidst localities long characterized by turbulence and misrule, sanguine hopes were entertained that the Affghan nation at large making a virtue of necessity, would become more and more alive to the advantages of a settled government under their lawful sovereign and of a permanent alliance with so powerful a neighbour as British India.

As every petty chief in Affghanistan possessed his fortified stronghold consisting usually of four lofty and substantial masonry walls flanked by strong bastions well pierced with loopholes for marksmen and capable of resisting field artillery it was deemed advisable to maintain always in readiness for immediate service in the chief arsenal at Cabul a small moveable siege-train of iron 9 pounder guns for breaching purposes. These together with mortars, ammunition and miscellaneous military stores carried on half a hundred wheeled carriages, a thousand camels and eighteen elephants constituted Eyre's charge on the line of march from Ferozepore to Cabul, his escort consisting of a regiment of native infantry and a detachment of Her Majesty's 13th Foot. Accompanying the convoy were General Elphinstone proceeding to take up his command of the troops in Affghanistan, and sundry officers of his staff including the since famous Henry Havelock just appointed Persian Interpreter.

Ferozepore was at that time our most advanced military station in the North West and Henry Lawrence as political officer in the Cis Sutlej States made it his head quarters. He was assuredly the right man in the right place for such a crisis as was then at hand and had recently given evidence in an admirably written tale entitled 'The Adventurer in the Punjab' not only of high literary ability but also of a practical insight into the character of our Sikh neighbours which was just then as rare as it was valuable and which he was fortunately in a position to turn to the best account. Eyre obtained from him much useful information for future guidance and heard him for the first time broach that great scheme for establishing an asylum in the hills for the children of British soldiers with which the name of Lawrence has since become enduringly associated.

The Punjab territory, across which Eyre's route lay had changed rulers five times within the past eighteen months only one month having elapsed since the seizure of power by the existing usurper Shere Singh an illegitimate son of the famous old lion Runjeet. A large and formidable disciplined army of Sikh soldiers backed by a powerful artillery occupied the neutral ground between the British force in Afghanistan and its basis of operations in N W India but fortunately for us, that army, although ambitious in the highest degree to try conclusions with the British was just then too busily occupied with its own domestic quarrels to avail itself of the tempting opportunity to obstruct our line of communications.

Nevertheless the false and hazardous nature of our military position beyond the Indus was becoming daily more and more evident to the most ordinary observers, nor was it without serious forebodings of coming disaster that men saw the command of our forces in that quarter handed over to a crippled sexagenarian officer, who had been thirty years out of employ and whose corporeal infirmities alone whatever might be his supposed qualifications, so palpably unfitted him for a post requiring the fulness of mental and bodily vigour. It is but fair to admit that General Elphinstone was a chivalrous and high minded gentleman possessed of many very excellent qualities of head and heart which if called prominently into play at an earlier period of his life, might have secured him a career of honour and renown. It was however his evil destiny to prove himself the Sabinus of the British army in Afghanistan while it was reserved for Mahomed Akbar Khan the fugitive son of the deposed ruler to enact to the very life the part of Ambionix the Gaul as described by Cæsar.

De Bello Gallico V and very recently by his Imperial biographer Napoleon 3rd in Book III Chapter 8 of his 'Life of Cæsar'.

Passing the deposed Ameer Dost Mahomed Khan *en route* to his place of exile in Calcutta the convoy reached Cabul on the 28th April without misadventure though the difficulty attendant on the transit of heavy iron siege guns and their *impedimenta* through a long succession of rugged mountain passes possessing no regular carriage road imposed no trifling amount of exertion and fatigue on the troops who were obliged to bring manual labour to the task wherever the narrow defiles proved so precipitous as to be insurmountable for draught cattle.

The new career upon which Eyre now entered, in a country so full of interest as Afghanistan, possessing the advantage of an European climate and peopled by races whose sturdy

independence of manner and of character offered an attractive contrast to those of India, was hailed by him as a most agreeable escape from the heat and monotony of the latter country. Many of his most cherished friends had preceded him thither and were holding posts of trust and responsibility. Among them were d'Arcy Todd the Envoy at Heerat, Colonel Stoddart at Bokhara, Arthur Conolly at Kokan, and Richard Maule in Kohistan.

The latter was the first to welcome him at Cabul, having ridden seventy-five miles for that purpose through a wild and unsettled country, disguised as an Affghan. Maule and Eyre had been friends from early boyhood, had passed through Addiscombe together and had been shipmates to India. When Eyre planned a house for himself at Cabul, he arranged that one select corner of it should be set apart as 'Maule's room' to be ever available for his friend on the shortest notice. In building this house Eyre's chief difficulty had been to find qualified masons for the purpose, that class being monopolized by the Department of Public Works for Government purposes. One day, however, to Eyre's surprise a common kitchen servant who had accompanied him from India, volunteered his services as head mason and promised to provide competent builders among the Indian camp followers if entrusted with the superintendence of the work. Eyre consented to give him a trial, and the arrangement turned out a perfect success. Before winter set in the house was fit to inhabit and was admitted to be one of the best built in Cabul. Yet among the whole of these volunteer masons, hardly a man had been bred to that particular work, an example of the natural versatility of our Hindoo subjects when encouraged by circumstances to shake off for the nonce the trammels of caste and custom.

About this time news reached Cabul from Bokhara that Eyre's old school fellow, Colonel Stoddart, who had proceeded thither from Persia on a mission of mercy to mediate with the king for the release of Russian captives and had, by his plain speaking, excited the anger of that capricious tyrant, had contrived to make his peace and been restored to liberty and outward favour. Sir W. Macnaghten was anxious that he should avail himself of this favourable opportunity to escape from so hazardous a position, but Stoddart unfortunately felt honourable scruples about leaving his post without direct instructions from the English Foreign Office to which he owed primary allegiance. During this propitious interval Eyre found means, through a Jewish Moollah of Cabul, to open a correspondence with his early friend, who replied in a cheerful

strain confident that the long hoped for letter of recall would soon arrive to enable him to depart with honour from the scene where he had already suffered so much and where he was destined soon to yield up his life

As chief of the Ordnance Commissariat in Afghanistan, the responsibility devolved on Eyre of providing and maintaining a sufficient supply of the material of war for the efficient equipment on a war footing of the British army of occupation and of the Sikh local forces. The chief arsenal was in course of erection at Cabul on a spot which had been selected by the authorities before Eyre's arrival in a small fortified enclosure adjoining the entrenched cantonment whilst dependent upon it for supplies of guns ammunition small arms tools implements camp equipage and miscellaneous articles of equipment were the garrisons of Candahar Ghuznee Jellalabad Kelat Gilzee and their respective outposts. The Delhi magazine 800 miles distant being the nearest source of supply and itself mainly dependent on the arsenal of Fort William 900 miles further the expense of transport on camels of such heavy articles as shot shell and small arm ammunition was prodigious and contributed to render war in that distant region a most ruinous pastime

Moreover as our forces in Afghanistan were liable at any time to find themselves cut off by the Sikhs from their base of operations in India it was desirable to make provision for such a crisis by storing up in the Cabul arsenal a large reserve supply calculated for at least two years consumption. The country itself could be depended on to yield but little in the shape of a local supply of military stores although Eyre's attention was from an early period directed to ascertaining its capabilities in that respect, urged thereto on the score of economy by repeated letters from the Military Board of Fort William. Eyre accordingly spared no pains to make himself acquainted with the natural resources of the country and to render them available for the military requirements of the State but his labours in that direction were curtailed and all difficulties solved in a manner not less summary than unexpected

On the 2nd November 1841 the Cabul insurrection burst forth with the suddenness of a volcano, though not without the usual premonitory symptoms of such catastrophes but the tale is too well known to need repetition. The delay however of one week or even of one day might have made a wonderful difference in the results which followed for the 3rd November had been fixed for the departure of the Envoy to take up



his new appointment as Governor of Bombay and General Elphinstone who had tendered the resignation of his command, was to have accompanied him. In such case the chief political authority would have devolved on Sir A. Burnes who would have immediately occupied the Residency and have thus escaped assassination in the city where he had fixed his abode whilst Brigadier Shelton would have succeeded as senior officer to the temporary command of the troops and both men were better qualified to shine as principals than as seconds in their respective spheres of action. The youthful fervour and ambitious spirit of Burnes had chafed with ill disguised impatience under the control to which he had so long been subjected and it was believed by his friends that he merely bided his time to remedy much that he viewed with disapprobation both in the policy and practice recently pursued and whereof he had been an unwilling though necessary agent. Shelton with all his faults of temper was undoubtedly a brave skilful and energetic officer and would probably have acted with that promptitude and decision the want of which in poor Elphinstone led to such disastrous results. What a field for useless conjecture is presented by the supposed contingency of just a few hours delay in the outbreak and the altered consequences to central Asian politics and to British Indian history of a successful stand at Cabul and a suppression of the insurrection!

But it was otherwise ordered. The crisis found us utterly unprepared. Mars was reposing on his laurels unconscious of the net that had secretly been cast around him. An early winter of unusual severity had set in and in all the fancied security of external peace and a submissive if not friendly population around him, the Envoy had denuded Cabul of his best troops. These under the gallant Sale had started for their winter quarters at Jellalabad with what seemed the easy task before them of punishing *en route* some refractory Gilzies who had occupied the Khoord Cabul pass as their best mode of protesting against what they perhaps truly deemed an act of injustice, whereby they had been deprived of their customary stipends as keepers of the Eastern passes,—a measure of unwise economy to which the Envoy had been driven by the repeated calls of the Indian Government to retrench expenditure.

Sale encountered a more vigorous opposition than he had expected, but forced the passes, and, having patched up a hollow truce with the Gilzies eventually lodged his troops in safety behind the walls of Jellalabad not however without an effort of General Elphinstone to recall him to Cabul, where

his aid had meanwhile become urgently needed. But it was too late, for encouraged by the outbreak at the capital, the whole country had risen in arms.

On receiving the order of recall Sale summoned a council of war at Gundamuck who decided that a return through the passes under existing circumstances was impracticable, and poor Elphinstone was left to battle with the difficulties of his position as best he could.

These were increased tenfold by the appalling fact that no sufficient supply of provisions had yet been laid in, and that even the existing supply was stored in a detached fort, affording no secure shelter being open to attack from neighbouring strongholds and difficult to defend as an outpost against the overwhelming numbers that suddenly threatened the entrenched cantonment on all sides. Still further to complicate the poor General's embarrassments while yet in doubt as to the possibility of successfully maintaining his own position, which combined all imaginable disadvantages for defence in such an emergency, he was called upon to divide his force for the protection of the king who occupied the Bala Hissar or royal citadel about two miles distant and thus it happened that Captain Nicholl the senior artillery officer at Cabul and who commanded the noble old 1st Troop 1st Brigade of Bengal Horse Artillery got separated with four of his guns and two thirds of his men from the main force in the cantonment where officers men, and guns were most cruelly needed. His senior subaltern Lieutenant Waller, remained in the latter with two guns but being disabled by a severe wound in the very first day's fight the *onus* of artillery command devolved upon Eyre who thenceforth took the lead in all active operations of that arm both in the field and around the extensive lines of defence his only available subaltern being Lieutenant Warburton commanding the Shah's Native Artillery, consisting of 80 Punjabees of doubtful fidelity. These men, with the exception of about 30 English Horse Artillery gunners belonging to Waller's field guns constituted the whole artillery force for defending an *enceinte* comprised within 4 000 yards of low parapet.

Heretofore, anticipating no enemy no guns had been mounted on the works but not a moment was now lost by Eyre in placing every available gun in the best flanking position ready for immediate service. The six iron 9 pounders which had accompanied him from Delhi now came into most opportune use and, together with three 24 pounder field howitzers one 12 pounder ditto, and three 5½ inch mortars, formed the entire artillery reserve at hand. Henceforward, Eyre scarcely knew what

it was to rest Day and night, his whole time was actively occupied either in superintending the fire of the batteries, or in regulating the duties of his own department, which had now become excessively heavy or in heading the two Horse Artillery guns in the numerous sallies against the enemy It was necessary that he should be literally ubiquitous, and, so far as the issues of the struggle depended on the artillery, there was assuredly no cause for despondency

The insurrection was inaugurated as usual on such occasions, with murders and assassinations on all sides Isolated British officers, political and military, were the first victims Burnes, Broadfoot Rattray and Maule fell at their respective posts during the 2nd and 3rd November Eyre felt Maule's death most keenly for they had been almost as brothers from boyhood Colin Mackenzie then a Captain and Assistant Political, narrowly escaped a similar fate but, aided by a small native guard he heroically defended his quarters in the heart of the city against an armed multitude until the night of the 3rd when, seeing no hope of relief he succeeded, by a marvel, in withdrawing to cantonments with the greater part of his men and was thus spared to bear a conspicuous part in the coming struggle

Looking back on those eventful times when the name of Colin Mackenzie first became familiar as a household word to Englishmen, and recollecting his varied claims to notice as a soldier, linguist and an Indian diplomatist of the genuine heroic type, and how favourably his nobility of character and chivalrous bearing impressed all even the Affghans with whom he came in contact we cannot but marvel and lament that a man of his mark, so obviously qualified for high political employ among impressible oriental races should have fallen short through lack of the requisite opportunity of that eminence for which in early life he seemed so surely destined

Nothing, perhaps, testifies more clearly to the craft wherewith the people of Cabul had succeeded in lulling the British with a false security than the unsuspecting manner in which, up to the very last, so many of our public officials had domesticated themselves in the heart of that city But it is probable that all their efforts to dislodge the British army from its entrenched position would have been as unsuccessful there as at Candahar and Jellalabad but for the early loss of the Commissariat fort with its whole stock of provisions on which the troops were well known to be dependent Eyre, in his narrative of military operations at Cabul, fully

describes the blunders and mishaps through which this important post was sacrificed and adds —

‘ It is beyond a doubt that our feeble and ineffectual defence of this post and the valuable booty it yielded, was the first fatal blow to our supremacy at Cabul, and at once determined those chiefs more particularly the Kuzzilbashes, “ who had hitherto remained neutral to join in the general “ combination to drive us from the country ’

It is unnecessary that we should dwell upon the details of the desperate struggle of our troops to maintain their position after the failure of their supplies further than they serve to illustrate the subject of our memoir. Mere passive resistance to the attacking foe was now out of the question. In order to eat it was necessary to sally forth and fight day by day. Wherever rations for man and beast were likely to be found within reasonable bounds thither a raid was directed and generally with a successful result. But inasmuch as such stores were invariably laid up in fortified strongholds with lofty ruined walls and flanking bastions pierced for musketry and courageously defended by excellent marksmen these adventurous expeditions even when most successful were fruitful of disaster in the loss of valuable lives they occasioned.

Some of those forts required to be breached with Eyre’s iron guns before an entrance could be effected and his gunners were often shot down in battery by an unseen foe while so employed. On several occasions the enemy turned out in immense force to oppose the troops on the open plain when Eyre invariably volunteered to lead the two Horse Artillery guns into action and contributed his full share to the successes then gained — successes which had the final issue of the struggle been equally triumphant would perhaps have been deemed worthy of record among the brilliant deeds of British arms in the East.

Subsequently when General Pollock re-conquered Cabul his chief engineer (now Sir Frederic Abbot) minutely surveyed the scene of operations and thus reported thereupon to Government. One glance at the accompanying plan is sufficient to show the extreme faultiness of the position. The cantonment appears to have been purposely surrounded by “ difficulties indeed a stranger might suppose that many of the mud forts, approaching so closely to the walls, must “ have been built for the express purpose of besieging it.”

At length, on the 22nd November, while assisting with some artillery to drive the enemy out of the walled village of Beymaroo, whence supplies had often been obtained,

Eyre was severely wounded by a rifle ball, and disabled from further service in the field. On the following day occurred a serious disaster to our arms which proved decisive of the fate of the Cabul force. Brigadier Shelton, after failing in an attempt to dislodge the enemy, who had turned up in great force on the neighbouring heights of Beymaroo (which position commanded the cantonment,) found himself compelled to make a movement of retreat, leaving one gun in their hands. This however was soon re-captured by a party of our troops who gallantly rallied for the purpose, and had reinforcements been then promptly poured out from cantonments the day might have been retrieved, but unhappily no such vigour being displayed the enemy returned to the charge in increased numbers and with renewed energy. A prolonged and desperate conflict ensued and our troops, finding themselves exposed to a deadly fire from concealed skirmishers, suddenly lost confidence broke their ranks, and fell back in disorder down the hill during which movement the unlucky Horse Artillery gun, being overturned on rough ground was abandoned to its fate and the Affghans obtained a fatal triumph.

Meanwhile Eyre lay stretched helpless and anxious, on his bed. It was the first time that the guns had gone into action without an officer at their head. On that day Serjeant Mulhall a trusty and skilful subordinate commanded them in the field as the presence of Lieutenant Warburton was necessary within the lines to keep due control over his native artillerymen as well as to direct the fire kept up from the guns in position. As the tide of battle swayed to and fro Eyre could distinctly hear the defiant and often exultant shouts of the Affghans, sometimes approaching so near as to excite intense uneasiness. The troops had been absent from 2 A M till 1 P M. About this time the door of Eyre's room flew open and Cohn Mackenzie rushed in his pale and haggard look sufficiently announcing a tale of disaster. His faint and exhausted appearance excited apprehensions that he must be wounded and, on opening his coat a bullet dropped out which had struck his shoulder, fortunately without penetrating the bone though he felt its effects for several days. Eyre afterwards learned from eye witnesses of the scene how bravely his friend had acquitted himself throughout the trying scenes of the day. But for further particulars we must refer to the sixth chapter of Eyre's book wherein he has endeavoured to render justice to all concerned. His criticisms on the battle are unfavourable to the tactics of Brigadier Shelton, and seem to represent faithfully the general impression produced on those

present, and to be borne out by the acknowledged principles of modern warfare. But, however that may be, it must be admitted that the Brigadier was inadequately supported during the crisis of the action, when a prompt despatch of reserve troops from the entrenchment might have turned the tide in his favour, and that he cannot justly be held responsible for a failure which he strove so bravely, though ineffectually to avert.

But despite of this disastrous check to British arms, the troops might doubtless have held fast their position through the winter save for the ever pressing necessity of taking active offensive measures to procure supplies. Hence arose the important question whether to abandon the entrenchment and occupy the Bala Hissar with the king or to enter into negotiations with the Affghan chiefs for a safe retreat from their country under the most favourable terms procurable. Unfortunately the latter alternative was adopted. The impossibility of providing for the safe transport of the sick and wounded naturally operated as a bar to the bolder though desperate course which had been more than once suggested of a winter retreat at all hazards through the passes of Jellalabad.

Accordingly on the 11th December the British Envoy accompanied by his three assistants George Lawrence, Colin Mackenzie and Trevor, sallied forth in accordance with a previous arrangement to meet the leading chiefs on the open plain. Pre eminent among the latter was Mahomed Akbar Khan son of the deposed ruler—a man of fierce though noble aspect and of a resolute but crafty spirit, naturally embittered against the English who had driven himself and family into exile and who at that moment held his father and wife as hostages in Hindustan.

The meeting though sufficiently discordant in its elements, passed off amicably and the terms of a treaty were agreed upon whereby the Envoy bound his Government to withdraw entirely from Affghanistan and to restore the banished Ameer the first step to its fulfilment being the suspension of hostilities and the immediate withdrawal of the detachment of British troops from the Bala Hissar. The latter measure was accordingly effected on the 13th and 14th December though not without some manifestations of treachery on the part of the chiefs and some consequent loss of life.

The chiefs next demanded the immediate evacuation of all the forts around the cantonment garrisoned by the British. Most of these had been secured with a heavy sacrifice of valuable lives but were now surrendered for the sake of obtaining, in return for the sacrifice, a prompt supply of

provisions, which had become most urgently needed by the famishing troops and camp followers

On the 22nd affairs took a new turn Mahomed Akbar made secret proposals to the Envoy, which seemed to offer a tempting door of escape from present difficulties and from further humiliations The chiefs had already shown a disposition to evade some of the conditions of the treaty and to impose others still harder of acceptance and the aspect of affairs seemed altogether so desperate that the Envoy was beguiled into acceding to a private interview with Mahomed Akbar for the purpose of arranging a scheme, whereby he hoped to sow division among his enemies and retrieve great misfortunes The sequel is well known The unhappy Envoy was entrapped and assassinated by Mahomed Akbar's own hand on the very scene of the interview and almost within sight of the garrison Lawrence Mackenzie and Trevor were carried off to the city,— which the latter did not reach alive, being cut down by some of the fanatics who thronged the road—and thus terminated this ill omened attempt to outwit the wily chiefs of Cabul The final catastrophe was fast drawing nigh

Sir William Macnaghten had exercised special powers which died with him Eldred Pottinger the hero of Heerat was the next senior surviving political officer, and therefore the responsible head of the mission At the General's urgent desire he reluctantly consented to become the medium of communication with the treacherous chiefs although still disabled from a severe wound received at Charakar at the beginning of the insurrection Eyre devotes an interesting chapter to the heroic defence of that outpost and to the adventurous escape of Pottinger and Haughton both of whom though grievously maimed and crippled by wounds contrived to make their way safely to head quarters through 130 miles of a rugged and hostile country On arrival in cantonments they were taken by Eyre to his own house and carefully tended throughout the remainder of the struggle

Notwithstanding what had so recently occurred negotiations were renewed with the chiefs who demanded fresh hostages for the fulfilment of the treaty Pottinger in vain protested against any treaty whatever A council of war decided that no other course remained What followed is too remarkable to omit Four married hostages with their wives and children, having been required by the chiefs certain officers were invited in an official circular to undertake the risk The following were the replies, as given by Lady Sale, in her journal "Lieutenant

“Eyre said, if it was to be productive of great good he would stay with his wife and child. The others all refused to risk the safety of their families. One said he would rather put a pistol to his wife’s head and shoot her, and another that his wife should only be taken at the point of the bayonet, for himself he was ready to perform any duty imposed on him.”

On this passage the *Naval and Military Gazette* thus commented. Channing in his eloquent and philosophic analysis of the character of Napoleon has felicitously defined three orders of greatness in the last of which he assigns a place to the great conqueror of Europe. Following the spirit of that great thinker, we cannot but recognize in Lieutenant Eyre’s noble reply a higher tone of feeling than can be traced in the answers of either of his gallant comrades. Therefore while we may award to the latter niches in the same order with Napoleon our acquiescence in the sentiments of Dr. Channing leads us to hail in Lieutenant Eyre’s conduct in this occasion the lineaments of that first order—moral greatness—through which the soul defies all peril, reposes an unfaltering trust in God in the darkest hour and is ever ready to be offered upon the altar of his country or of mankind.

Then came the retreat with its attendant horrors rivaling those experienced by the French in their winter march from Moscow. Eyre’s wound was still intensely painful, and incapacitated him from mounting a horse without assistance. To quote his own words—“Deep snow covered every inch of mountain and plain with one unspotted sheet of dazzling white and so intensely bitter was the cold as to penetrate and defy the defences of the warmest clothing.” The thermometer stood at several degrees below zero and men’s beards were coated icicles. There was a mingled multitude of 4,500 fighting men (including 700 European soldiers) and 12,000 native camp followers with their women and children. Their route lay through the Khoord Cabul pass, “a truly formidable defile about five miles from end to end, shut in by lofty hills between whose precipitous sides the sun at this season, could dart but a momentary ray.” There, half-concealed behind rocks and bushes, eager hordes of armed Gilyzes lay in ambush for their prey. The scene that ensued may be more easily imagined than described. The treachery of the chiefs was but too evident. Perched securely on high, the foe defied all attempts to silence or dislodge them. It was necessary to run the gauntlet of their fire, and not less than 3,000 souls perished in the attempt.



Eyre and his family, consisting of wife and a little boy emerged safely from the gorge the latter, being strapped to the back of a faithful Affghan servant on horseback had a very narrow escape owing to the horse falling and throwing them both off when in the very middle of the pass To crown the misfortunes of the day, snow began to fall and thousands had to pass the night without shelter, food or fire Only four small tents were saved under which some of the women, children, and wounded found refuge Eyre and Lieutenant Mein sat up all night in attendance on their dying friend Sturt, of the Engineers who had been mortally wounded in the pass At her husband's side his youthful bride also kept watch with them She was the daughter of the gallant Sale and well worthy of such a sire To assuage Sturt's burning thirst Eyre and Mein were obliged to wander alternately through the camp in search of fire to melt a cupful of snow and often before they could regain the tent the contents had frozen again into a hard mass Sturt did not survive the night and was buried at early dawn Mein's disinterested devotion to his wounded friend in hurrying back to save him at the risk of his own life, and dragging him through the pass under the enemy's fire, was justly extolled by Sir Robert Peel in Parliament who quoted the scene *verbatim* from Eyre's book

Meanwhile Mahomed Akbar, like a vulture watching his prey scanned every movement of the force from the neighbouring heights Shortly after the retreat commenced he had demanded that Pottinger and two other officers should be given up as hostages and prompt compliance had been yielded But still he was not satisfied The ladies married families and wounded officers, were next required to be made over to his care, an assurance being given to the General that by such a mark of confidence alone could the chiefs be induced to provide for the wants of the force, and to restrain their followers from acts of hostility

The General himself in a memorandum which he subsequently drew up thus explains his own motives 'I complied "with his wish hoping that as, from the very commencement "of negotiations the Sirdar had shown the greatest anxiety "to have the married people as hostages this mark of trust "might elicit a corresponding feeling in him

Eyre, on receiving a verbal order to prepare for the departure of himself and family sought the General, in order to hear it from his own lips. The poor General was greatly distressed, but, warmly pressing his hand urged him to mount and be off as the escort sent by Mahomed Akbar were impatient to start, so there

seemed to be no alternative Mahomed Akbar, although suspected of treachery, was then professedly our ally, with whom a treaty existed Hostilities were therefore at end so far as he was concerned It was pretended on his behalf that the Gilzie chiefs on the previous day exerted themselves in vain to restrain their followers Captain Nicholl now commanded the Artillery in person and Eyre felt that his own presence could no longer be of any service to the force His obvious duty was to obey the General's wishes at all hazards he therefore departed with the new batch of hostages consisting of seven officers, ten ladies and twenty two children Among them were Ladies Macnaghten and Sale Counting, then seven officers left behind at Cabul and three made over on the march the chiefs had now gained possession of seventeen British officers, nominally as hostages for the fulfilment of the treaty

We have already alluded to General Elphinstone as the Sabinus of the British force in Cabul It has indeed been often remarked that history repeats itself but we know of no instance more remarkable than the perfect historical parallel between the occurrences of 1841-42 in Affghanistan and those described in Book V of Cæsar's *Commentaries de Bello Gallico* First there was the sudden insurrection of the Gauls just as the Romans were settling in their winter quarters Their leader Ambionix an exact prototype of Mahomed Akbar in savage and successful duplicity Next the Roman General Sabinus another Elphinstone for indecision entering into precisely the same sort of hollow treaty with Ambionix as did the English General with Mahomed Akbar Next the protest of Cotta (Eldred Pottinger) before the council of war over ruled Finally the retreat with a cumbersome train of baggage and extended line of troops the General's misplaced confidence in Ambionix the attack on his front and rear in a narrow valley the confusion of the Romans from want of proper arrangements—their desperate though fruitless valour — Sabinus (Elphinstone) seeking a conference with Ambionix (Mahomed Akbar) *in order to save the troops*, his treacherous detention and the final annihilation of his army On the other hand we have the illustrious "garrisons of Cicero and Labienus represented by those of Sale and Nott maintaining their isolated posts firm and undaunted against all opposition signaling themselves on all occasions by a similar display of patience, skill, and valour until at length relieved by the advance of Cæsar (Pollock) with his over powering army, under whose auspices all previous disasters were amply retrieved, and the Roman invincibility satisfactorily re-established

As Eyre's narrative has now been long out of print, and the attention of our countrymen has begun once more to be directed towards the regions of Central Asia and the rapid extension of the Russian power in that quarter, we have deemed it not altogether inopportune to refresh the memories of our readers with some of the most striking particulars of this old and overtrue tale, which just a quarter of a century ago, was perused with thrilling interest by all the civilized world.

Eyre and his associates in misfortune remained as captives in the hands of Mahomed Akbar during eight and a half months,—Eyre occupying his leisure in recording on such scraps of paper as he could collect the strange and stirring incidents which he had witnessed, while yet they were fresh in his own memory and in the minds of his fellow captives, from whom, as well as from such public and private documents as had been saved and were within his reach he industriously gleaned many important and interesting particulars. His chief object in these labours was to place as far as in him lay, the whole unvarnished truth before the British public at the earliest practicable opportunity. He thus wrote to a friend "I feel well assured that the more my statements are sifted the more clearly will their truth be established in all essential points. Heaven knows I would give my right hand that such events as I have described had never occurred but having occurred, why should I conceal them? Is the loss of an army nothing? Can our national interests be advanced by glossing over such unheard of calamities and disgrace?" In another letter he thus expresses himself. "I wrote my narrative because it was at the time very doubtful whether any of the chief actors would survive and I felt an anxious desire that should we perish in captivity the public might be able to judge properly of the respective merits of all concerned. I can boldly assert that there is not a sentence which I do not believe to be strictly true."

Perhaps few narratives written under such circumstances have so well stood the test of time \* or have met more general and lasting approval. We have little doubt that honest old Gascoignes the poet who underwent some similar experiences in his youth during the wars in the Low Countries in the sixteenth century, very accurately expresses Eyre's feelings in regard to

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\* On one occasion during his visit to Europe in 1855 Eyre happened to be looking over the bookshelves of a bookseller's shop in Paris, when he suddenly came upon his own work translated into French. It is impossible to imagine a more pleasing surprise to an author than such a discovery.

his volume on Cabul in the following stanza from the poem, entitled ' the Fruits of War "

Go little booke ! God graunt thou none offende  
For so meant he who sought to set thee forth  
And when thou comest where soldiers seem to wend,  
Submit thyselfe as writte but little worth.  
Confesse withal that thou hast bene too bolde  
To speak so plaine of haughtie hartes in place  
And say that he which wrote thee could have tolde  
Full many a tale of bloude that were not base

The story of the captivity was appended to Eyre's narrative in the form of a journal and may still be read with interest. We must content ourselves with a few of the more prominent episodes. On the fourth day after their surrender to Mahomed Akbar they were joined by the General himself, with Brigadier Shelton and Captain Hugh Johnson and learned with profound dismay and grief that the remainder of the force had been gradually shot down in the passes, the chiefs having played them false even to the end notwithstanding all the concessions that had been made. It was evidently Mahomed Akbar's game to hold his captives as trump cards wherewith to extort from the British Government better terms for himself and country than he could well hope to obtain by any other means at his disposal. Hence they found themselves on the whole well treated although their anxieties were kept alive by the fact that a small though influential section existed among the Gilzie chiefs who made no secret of their inclination to put the whole party to death and whose debates on this momentous subject were often carried on in tones sufficiently loud to be overheard by their intended victims.

Their first place of confinement was the fort of Buddeeabad in the district of Lughman a stronghold of one of these same Gilzie chieftains having walls twenty five feet high, and lofty flanking towers surrounded by a faussebraye and deep ditch. Here they remained three months during which they were allowed to exchange letters with their friends in Jellalabad where Sale still maintained his defensive position. On 19th February they were alarmed by a violent rocking of the earth, accompanied by a loud subterranean rumbling sound the lofty parapets around them fell in with a thundering crash the dwelling house waved and tottered like a ship at sea and all within it simultaneously rushed out into the central courtyard to find their terror stricken Affghan keepers upon their knees ejaculating loud prayers to Allah for protection. It seemed as though the last day had arrived. Eyre had a narrow escape

from being crushed to death by a mass of the wall under which he chanced to be standing while tending his horse, which he had been permitted to retain

The same earthquake levelled in a few seconds the walls of defence which Sale's force had with continuous labour repaired and strengthened at Jellalabad. But the Affghans were unprepared to take advantage of the chance thus offered. On the 9th of April tidings reached the captives that Mahomed Akbar's camp had been surprized by Sale, and his force completely routed and on the following day they were hurried off towards the mountains after a sharp debate among the chiefs on the expediency of destroying them at once

Poor General Elphinstone in his already shattered state of health could ill bear up under the fatigues and privations he had to undergo and died at Tezeen on the 23rd April. A 'happy release for him' says Eyre from suffering of mind and 'body. Deeply he felt his humiliation, and bitterly regretted "the day when he resigned the home born pleasures of his "native land to hazard the reputation of a proud name in a 'climate and station for which he was physically unfit

The body was forthwith forwarded by Mahomed Akbar to General Pollock (by that time at Jellalabad) for honourable interment—a tribute of respect to a fallen foe highly creditable to the Affghan chief

On the following day Captain Colin Mackenzie was despatched on a mission to General Pollock, taking with him the first portion of Eyre's narrative. After perusal by General Pollock it was forwarded by the latter to Lord Ellenborough's Private Secretary and eventually to England for publication. Colin Mackenzie's journeys to and fro proved full of peril for, although disguised as an Affghan and escorted by a well known and popular sort of Rob Roy or freebooter, named Buttee, in the pay of Mahomed Akbar, whose knowledge of that wild mountainous country and its still wilder inhabitants stood him in good stead he was in frequent and imminent danger of discovery and consequent death from parties of wandering Gilzies whom they unexpectedly encountered, and who persisted in being unpleasantly inquisitive regarding the suspicious-looking traveller, with his face and form so closely muffled up in the folds of his turban and large sheepskin cloak, leaving his eyes scarcely as visible as those of the roughest Skye terrier, and whom it was necessary to palm off as a sick chief of Peshawur sent by Mahomed Akbar under Buttee's escort to his native place. One glimpse of the white skin beneath his wide Affghan trowsers, (which he found it next to impossible to prevent from rising

above his knee ) would have been his death warrant. But Heaven protected him

The propositions whereof he was the bearer were, that the British General should treat with Mahomed Akbar as the acknowledged head of the Affghan nation, that there should be an exchange of prisoners including all on each side, that the British should retire from Affghanistan and that General Pollock should pay down a handsome *douceur* in money. In case of these arrangements being effected Mahomed Akbar would be glad to enter into an alliance offensive and defensive, with the British. This however was only his *public* message but in secret Mackenzie had been desired to ascertain if a private arrangement could not be made to the effect that General Pollock should ensure an amnesty to Mahomed Akbar and his followers for the past and that the British Government should bestow on him a large jagheer. In this case he would willingly assist Pollock in re conquering Affghanistan.

Mackenzie returned from his mission on the 3rd May without having opened any prospect of release for the captives although the negotiation as far as it went had been of a friendly nature. He was immediately despatched a second time with more moderate proposals but again returned with an equally ineffectual result. On the 23rd May Mohamed Akbar removed all his captives from the Zauduk valley to a fort in the vicinity of Cabul. Here Mackenzie had nearly died of typhus fever, the result of his recent fatigues and exposure. Mahomed Akbar selected Major Colin Troup as his next envoy and he was absent in that capacity from the 10th to the 27th July but brought back no definite reply. Pollock was in fact busy in preparing for an advance on Cabul with stringent instructions from Lord Ellenbrough to proceed with his military preparations without reference to any negotiations. Meanwhile typhus fever and dysentery spread alarmingly among the captives and on the 7th August Captain John Conolly breathed his last. His brother the celebrated Arthur Conolly had but recently been decapitated at Bokhara after having been confined at the bottom of a dry well in company with Colonel Stoddart, for eighty days without change of raiment.

On August 23rd nine officers of the Ghuznee garrison joined the Cabul captives. Among them was the brave young Nicholson, destined to a brilliant career in the Punjab and a hero's death sixteen years later in the moment of victory at Delhi. He now became Eyre's messmate and beguiled the hours with animated details of the scenes he had witnessed during the ineffectual defence of that fortress,—with him too

was Dr Thomas Thomson since risen to eminence as a botanist and a traveller. On the 25th August, all were hurried off towards Bameean, *en route* to Kooloom in Ozbeg Tartary with a threat held out that they would be sold into bondage on arrival. Eyre and Mackenzie were both at this time too ill to travel on horseback, and were packed into a pair of paniers to balance each other on each side of a camel, a mode of travelling for invalids, which their miserable experience on that memorable journey did not enable them to recommend for general adoption except in cases where the penalty of torture has been incurred.

They had a strong escort consisting of some 400 Affghan soldiers deserters from the British service under one Saleh Mahomed their former Subadar. Their route lay over the steep mountain passes of Suffed Khak Oonai, Hajeeguk, and Kaloo the latter attaining an altitude of 13 400 feet whence Eyre describes the view as presenting a boundless "chaos of barren mountains probably unequalled in wild "terrific grandeur." The valley of Bameean beyond the Indian Caucasus, was reached on 3rd September.

And now at the very time when hope began to yield to despair in all their breasts and a life of wretched slavery seemed their inevitable lot and came from an unexpected quarter and their speedy deliverance was at hand. Eyre thus tells the story in a letter to a friend in Calcutta —

On Sunday, September 11th Saleh Mahomed, having received a positive order from Mahomed Akbar for our immediate march to Kooloom our desperate condition induced Pottinger to tempt him with the offer of a bribe for our release. Captain Johnson volunteered to be agent in the matter and found him more accessible than was expected. This man had hitherto kept aloof from every attempt at friendly intercourse with the prisoners towards whom his manner had been invariably haughty and his language harsh. Great therefore was our astonishment to learn that he had been seduced from his allegiance to Mahomed Akbar and bought over to our side.

"Meanwhile, the rapid advance of the two English armies upon Cabul and the probable defeat of Mahomed Akbar led us to expect that chief's arrival among us as likely to happen at any moment. It was, therefore necessary to be prepared against any sudden surprise. The Hazaret chiefs in the valley were sounded and found favourable to our scheme. The men composing our guard were gained over by a promise of four months' pay. A new Governor

" was set up over the Hazaret province by Major Pottinger  
" the existing Governor being too much in Mahomed Akbar's  
' interests to be trusted

' On the 16th September the country was considered suffi-  
' ciently safe to admit of our setting out on our return  
' towards Cabul We had only proceeded a few miles when  
a messenger met us with news of General Pollock's victory  
over Akbar which cheering intelligence was shortly afterwards  
" confirmed by a note from Sir Richmond Shakespear who  
" was hastening to our assistance with 600 Kuzzilbash  
horsemen On the 17th we re-crossed the Kaloo pass and  
encamped about three miles from its base We had been  
here about two hours when horsemen were descried descending  
' the pass of Hajeeguk Instantly Saleh Mahomed's men were  
on the alert and formed up in line Judge of our joy when  
' the banner of the Kuzzilbash was distinguished streaming  
in the air and imagine if you can with what emotions of  
delight and gratitude we eagerly pressed forward to greet  
' our gallant countryman, Sir Richmond Shakespear who  
soon came galloping up to where we stood For the first  
time after nine miserable months of thralldom we felt the  
" blessedness of freedom To God be all the glory, for He alone  
could bring it to pass !

There was still some danger that Mahomed Akbar might  
intercept their flight but at Shakespear's suggestion Pollock  
despatched Sale's brigade to meet them at Kot Ashroo All  
doubt was then at an end they were once more under the  
safeguard of British troops who lined the heights of Suffed  
Khâk and who raised hearty cheers of welcome as the procession  
threaded the pass, among them most conspicuous rode the  
gallant Sale with his long lost wife and daughter by his side

On the 21st Pollock's camp at Cabul was reached, where the  
Horse Artillery guns fired a salute in honour of the event, and  
thus happily terminated the tragedy of the Cabul insurrection

The events of those days have still such a thrilling interest  
for British readers that we have been tempted to linger perhaps  
too long over that portion of Eyre's career in connection  
with which his name first became familiarly known It was  
his strange destiny to witness the 'Alpha' and 'Omega'  
of the downfall of the old sepoy army for it is now generally  
admitted that the first seeds of the mutiny of 1857 were  
sown in the Cabul campaign In allusion to this, Kaye in his  
" Sepoy War " declares — The charm of a century of conquest  
" was then broken The Sepoy Regiments, no longer assured  
" and fortified by the sight of that ascendant star of fortune,



which once had shone with so bright and steady a light, "shrunk from entering the passes which had been the grave of 'so many of their comrades. It was too true, the Sikhs were 'tampering with their fidelity. Brahmin emissaries were 'endeavouring to swear them with holy water not to advance at 'the word of the English Commander. Nightly meetings of delegates from the different regiments were held and perhaps "we do not even now know how great was the danger."

Before leaving Cabul Eyre, through a strange accident, recovered his friend Maule's Bible, on the flyleaf of which the owner had thus written as if prophetically two days before his murder: "In case of my death I wish this book to be sent 'to my mother or dearest living relative. No Mahomedan will knowingly destroy the Word of God and it is remarkable that Arthur Conolly's Prayer Book wherein he had entered a touching record of his sufferings and aspirations in the well at Bokhara was after the lapse of many years left at the door of his sister's house in London by a mysterious foreigner who simply left word that he came from Russia but of whom no trace could be discovered after a most diligent search."

Returning with Pollock's force to India Eyre was posted to the new troop of Horse Artillery raised to replace the old 1st Troop 1st Brigade which had perished in the Affghan passes, and with whose services at Cabul he had been so intimately associated. In his public report to the Commandant of the Artillery regiment Eyre speaking of the siege, thus writes: "The gunners from first to last, never 'once partook of a full meal or obtained their natural 'rest — of the hardships and privations undergone it would 'be difficult to convey an adequate idea. Throughout the last 'struggle all eye witnesses concur in testifying to their stubborn "valour."

While attached to the new troop at Meerut Eyre originated what is believed to have been the first "soldiers club" ever established having for its object the suppression of drunkenness by providing for the soldier when off duty the means of sober and suitable recreation and refreshment. For this purpose Eyre hired a house conveniently situated to the barracks which with the aid of his brother officers and of small monthly subscriptions from the members, he fitted up with suitable furniture and supplied with books, magazines and popular games and where tea, coffee, and other harmless beverages could be obtained when wanted. It soon became popular among the men and contributed greatly to the reduction of crime amongst them. The value of such clubs has now been generally recognized.

On the news reaching India that Joseph Wolff was on the point of starting to Bokhara to ascertain the fate of Stoddart and Conolly and wanted some officer to accompany him Eyre at once offered his services but his letter failed to reach Wolff in time it will however be found in the published memoirs of that enterprising though eccentric Jew missionary

Eyre remained with his troop until December 1844, when he was appointed by Lord Ellenborough ever prompt to seek out promising officers and to reward good service Commandant of Artillery in the new Gwalior Contingent raised after the dispersion of Sindia's Mahratta army in the battles of Maharajpore and Punniar The new force consisted of four Batteries of Native Field Artillery one Battery of Garrison Artillery two Regiments of Irregular Cavalry and seven Regiments of Native Infantry the whole forming a very complete and serviceable Brigade All the English officers being picked men, the Gwalior Contingent soon acquired a reputation for the highest efficiency of which native troops were susceptible and as an instance of the loyal and soldierly spirit existing among them up to a late period it is worthy of record that Eyre's artillery twice volunteered for foreign service expressing their readiness to proceed either to Persia or Burmah and received the thanks of Government conveying the satisfaction with which the Governor General in Council has learnt the soldierly spirit evinced by these men Their prowess and professional efficiency were however destined to be tested in a very undesirable and unexpected fashion during the Sepoy War of 1857-58 by which time a lamentable change had come over the spirit of their dream—for led on by General Ram Singh a chivalrous old Rajpoot Subadar of Eyre's artillery, the Gwalior Contingent succeeded in turning General Windham's flanks at Cawnpore obliging him to retreat with great loss and it was generally admitted that their triumph on that occasion was mainly due to the accurate fire of their guns

Shortly after Eyre's arrival at Gwalior his sympathies were enlisted on behalf of the Portuguese native Christians of whom numbers had been thrown out of employ by the disbandment of the Mahratta force wherein they had served as non-commissioned officers buglers and drummers but who had been suddenly reduced with their families to destitution Eyre made a strong appeal to the public on their behalf which met with an immediate response A sum of exceeding £800 was received from various parts of India and, with this amount in hand, Eyre conceived and carried out the bold project of establishing a small Christian colony in the valley of Deyra

Dhooon at the base of the Himalayan range, and three hundred miles from Gwalior

The scheme met with liberal support from the Lieutenant-Governor of the North Western Provinces and other high functionaries. Lands were forthwith purchased, and forty families, numbering 120 souls left Gwalior for the land of promise under the guidance of Father Felix, a worthy Italian monk of the Franciscan order who volunteered his services. Contrary to general expectation, these poor men, on arriving at their destination, set to work with a good will at the novel task of building and ploughing. They found all the necessary materials ready prepared. To each family forty *begahs* (about fourteen acres) of land were assigned, besides a plough and yoke, a pair of bullocks, a cow, two pigs, one sheep and a small stock of fowls. In a wonderfully short space of time a neat little village sprung up with its church and school room and Father Felix proved himself just the man to gain all hearts, and to stimulate his flock to exertion. Before many weeks had passed he thus wrote "*nous avons déterminé de commun sentiment de nommer cette nouvelle colony ou pays 'Eyre town' Je vous prie donc de ne pas vous opposer*."

But Eyre *did* oppose it suggesting instead the name of "Esapore" or the abode of Christians," which was adopted accordingly.

For about three years the little Christian colony struggled on under his fostering care during which the colonists kept up a brisk fire of correspondence with Eyre appealing to him in all their troubles and difficulties. Unfortunately the climate proved less salubrious than was expected. During certain months a malarious fever prostrated their strength, and a murrain destroyed a large portion of their live stock, although they still continued to eke out a decent subsistence from the produce of their fields and by the sale of eggs poultry, and butter to the residents of the neighbouring hill sanatorium of Mussoorie. Eventually owing to the continuance of the above causes they gradually found it more advantageous to transfer themselves permanently to the hills and thus the scene of their early labours became, in process of time a flourishing tea plantation in other hands. But the great object had been meanwhile gained of permanently rescuing the Christian families from destitution and the example set of the practicability of forming such colonies led, ere long, to the establishment of another in a more salubrious locality, which, it is believed, still flourishes.

About this time Henry Lawrence's great scheme for a hill asylum for soldiers' children assumed a definite form, and he paid Eyre the compliment of placing his name on the "Committee of Reference."

They had for some time past corresponded on the best mode of overcoming the difficulties attendant on any attempt to render the asylum available for the children of our Roman Catholic soldiers who formed so large a proportion of our European army in India and whose claims to impartial consideration Eyre had strenuously advocated not without some practical effect although as might be expected there was a strong party utterly opposed to any concession.

In addition to his artillery duties Eyre carried on, for several years those of executive engineer of the Gwalior Division and the pretty Gothic freestone church whose tall pinnacled tower still gives a home like character to the British cantonment near Gwalior was of his design and execution. The interior suffered considerable damage from the mutineers in 1857 who destroyed all the coloured glass and wood work a very fine organ and a remarkably handsome carved stone pulpit turning up also the encaustic tiles of the floor. In 1854 Eyre was selected to accompany the Maharajah Sindia on his travels in the North West and thus witnessed the opening of the Ganges Canal meeting there his friend Henry Lawrence for the last time who spoke with intense disapproval of the annexation policy then in fashion and did not conceal from Eyre his apprehensions that danger would soon accrue from it and find us unprepared.

In May 1855 in consequence of failing health, Eyre proceeded on sick leave to England. There he soon drew public attention by two lectures at the Royal United Service Institution and before the British Association on the subject of metallic boats and floating pontoon waggons for naval and military purposes. As the Crimean war was then in progress, his suggestions attracted the notice of Government who twice deputed officers of both services to witness Eyre's experiments, and with favourable results on both occasions.

Early in February 1857 Eyre returned to Calcutta. He found people just beginning to feel uneasy regarding certain incipient symptoms of disaffection among the sepoy. The Maharajah Sindia of Gwalior chanced to have just arrived on a visit to the Governor General, and closely questioned Eyre as to the opinions entertained in England about the seizure of Oude. This was delicate ground, but Eyre replied that it was a subject upon which our public men were not agreed,

and that while many approved a large party viewed it with regret as tending to disturb the minds of native princes. Whereupon the Maharajah with great animation exclaimed—“Ah! that is the truth they reason rightly.” Just a year previous Eyre had chanced to find himself seated at a *table d'hôte* in England next to a very intelligent young native gentleman from Lucknow who initiated a discussion on the same subject and stated his confident belief that, ere twelve months should elapse the whole of Oude would be in open insurrection. It is not unlikely that this well informed prophet may have been the since notorious Azimoolah.

Having been posted to a Horse Field Battery at Thyet Myo in Burmah Eyre proceeded by sea to join it, and on the 20th March reached his destination, three hundred miles up the river Irrawady. By that time news had come from Bengal of mutinous outbreaks in the native regiments at Berhampore and Barrackpore. Two months later a telegraph summoned Eyre with his battery to Calcutta to assist in suppressing the mutiny which had burst out with terrific violence at Meerut and Delhi and was spreading like wild fire over the North West Provinces. On the night of the 14th of June, Eyre found himself once more anchored off Calcutta. On that very day his old friends of the Gwalior Contingent had followed the fatal example set by the regular army and had risen against their English officers, many of whom fell victims.

On landing the next morning in Fort William Eyre found symptoms of alarm amounting almost to panic, pervading the European community. In fact a clergyman with his wife and family had actually taken refuge in board the *Tubal Cain* during the previous night in expectation of a rise among the natives. Within the fort itself he found the Town Major employed in swearing in volunteers and preparation making to hang a State prisoner in the ex king of Oude's employ, who had been detected in tampering with the sepoys of the garrison. Next morning however the prisoner effected his escape from under the very noses of his European sentries and the king of Oude himself was arrested. On the 17th June Sir Partrick Grant arrived from Madras as Commander-in-chief, and while passing Eyre's ship received three cheers from the artillery men. It was a favourable omen that he should be thus greeted on arrival by the identical company of Artillery which had been mainly instrumental in suppressing the Barrackpore mutiny in 1824.

After several days of uncertainty, Eyre transferred his men and guns on the 10th July to the *Mulla's* flat, in tow of

the *Lady Thackwell* river steamer, with orders to proceed to Allahabad. Their battery horses had been left behind in Burmah, to follow when opportunity offered. Meanwhile many tragical events had been occurring in the North West, especially at Jhansi, Neemuch, Fyzabad, Cawnpore, Allahabad and Bareilly, where mutiny and massacre had been the order of the day, although the energy displayed by John and Henry Lawrence in the Punjab and in Oude appeared to have in some degree stayed the progress of the insurrection. But the fate of India seemed trembling in the balance.

On the 25th July, while approaching the military station of Dinapore, the steamer picked up an English gentleman from a small boat who announced that the three native regiments there had risen in mutiny at 2 P.M. on that day, and presently a bend of the river presented the dismal spectacle of burning houses in the distance. At 6 P.M. Eyre landed to offer his services to General Lloyd, and at his desire disembarked three guns until those despatched in pursuit of the mutineers should return. On the following day came sad tidings from the neighbouring station of Segowlee that Major Holmes, commanding the 12th Irregular Cavalry, who had been most successful in his efforts to maintain order in that district, had been murdered together with his wife by some of his own men. Mrs. Holmes was that same daughter of Sir Robert Sale, who as Mrs. Sturt had been Eyre's companion in captivity at Cabul.

Re-embarking his guns, Eyre proceeded up the Ganges to Buxar, which he reached at 3 P.M. on the 28th. Here he was informed that the Dinapore regiments, having crossed the river Soan, were besieging the civilians of Arrah in a house which had been, with fortunate foresight, fortified and provisioned by Mr. Vickers Boyle, a Civil Engineer. The mutineers were led by Baboo Koonwar Singh of Jugdespore, a brave old Rajpoot chief of good family, great energy of character and extensive influence, who had now assumed the title of Rajah, and had drawn towards his banner the whole fighting population of Behar, a province which supplied the sepoy army with some of its best soldiers. It was then suspected, and has since been well ascertained, that Koonwar Singh had been for months past carrying on an active correspondence with the disaffected regiments scattered over the Lower Provinces, and, had not his daring schemes been prostrated at an early period, the whole of Bengal and its dependencies would soon have been in a blaze of mutiny and rebellion, from Benares to Chittagong, and who can say what might then have been the issue?

At Buxar was a valuable Government stud and about thirty miles higher up the river was a branch stud at Ghazepore on the opposite bank where also was stationed a strong native regiment held in check by only one weak company of the 78th Highlanders Eyre at once saw the importance of preventing the Dinapore mutineers from crossing the river, and as Lord Canning had recently telegraphed to Patna expressing great anxiety for Ghazepore Eyre steamed up thither to land a couple of guns und~~e~~ his only subaltern

In exchange for this trivial aid the officer in command at Ghazepore allowed Eyre to take twenty five Highlanders with whom he forthwith returned to Buxar greatly to the relief of the Stud officers and other English inhabitants of that place It most fortunately happened that in the brief interval, the *James Hume* steamer had arrived at Buxar to take in coal having on board 160 of H M s 5th Fusileers under Captain L Estrange To that officer Eyre at once despatched a note proposing that they should join forces for an immediate attempt to relieve Arrah L Estrange promptly replied in the affirmative stipulating only that Eyre should send him a written order to that effect taking on himself the whole responsibility

This Eyre did not hesitate to do and in like manner made himself formally responsible for the detention of the two Government steamers

Early on the morning of the 30th July guns and troops were disembarked and arrangements made for a march to Arrah distant about 48 miles to the east At the same time the *James Hume* was despatched to Dinapore with a letter to General Lloyd, informing him of the intended movement and inviting his co operation The Field Force thus extemporized consisted of three guns with 40 artillery men, 154 of H M s 5th Fusileers with six officers, two assistant surgeons, and seventeen volunteers one of the latter being the Joint-Magistrate of Ghazepore Mr J H Bax, and three officers of the Stud The twenty five Highlanders were left behind with orders to return to Ghazepore by the first opportunity Eyre appointed as his staff officer, Captain the Hon'ble R H Hastings, a most fortunate selection as it proved, for his indefatigable exertions zealously backed by the other Stud officers and volunteers contributed largely to the success of the expedition. The knowledge of the district possessed by Mr Bax, his coolness and energy together with his influence with the natives in procuring carriage, rendered his presence with the force likewise of no small advantage

By 5 P M, everything was ready for a start. The guns were drawn by bullocks, taken together with their native drivers, direct from the plough. The reserve ammunition and commissariat supplies were drawn on common country carts and through Mr Bax's exertions, four elephants were contributed by the Dumrao Rajah for conveying tents and bedding. It was the rainy season and the roads were very heavy so that the poor bullocks unused to such labour moved provokingly slowly, and frequent halts were necessary to enable laggards to close up hence it was break of day ere the first encamping ground, at Nyah Bhojapore was reached. At the twelfth mile a mounted spy in the service of Koonwar Singh, was intercepted, and was brought in wounded. This proved that the enemy were on the alert and that circumspection was necessary. The march continued till the night of the 31st when the discovery of more hostile scouts operated as a caution to halt till daybreak.

On the 1st August when near Shahpore the dismal tidings came from Dinapore that a detachment of 400 men, which had been sent from that station for the relief of Arrah had fallen into an ambuscade near that town and been driven back with loss of half their number. Eyre however resolved to push on and strike a blow to restore whatever prestige might have been lost. Four miles further on a bridge had been cut through and rendered impassable for guns but after an hour's detention the damage was sufficiently repaired and the force bivouacked for the night outside the village of Goojrajgunje posting a strong guard to protect the bridge beyond which a picket of the enemy was known to be posted.

At daybreak on Sunday the 2nd August the force again advanced and had just cleared the village when bugle notes were heard sounding the assembly in a wood which bounded the view about a mile ahead and through which lay the direct road to Arrah. We quote Eyre's own account of what followed, as published in the appendix to the 3rd edition of Gubbins' book on the Mutiny in Oude, where it has lain buried long enough and whence we are desirous of exhuming it. "Eyre halted his force to reconnoitre. The enemy now began to show themselves in what seemed overwhelming force. But content with occupying the wood to our front large bodies were seen to extend themselves along the woods on either flank, with the evident intention of surrounding the little force opposed to them. To bring matters to an issue, Eyre drew up his force on the open plain and offered battle. The three guns opened fire to the front and flanks, causing the



" enemy to screen themselves as much as possible behind broken  
 " ground From this they opened a heavy fire of musketry, and  
 Eyre ordered forward skirmishing parties of the 5th Fusileers  
 ' to retaliate The superiority of the Enfield Rifles now became  
 ' apparent Galled by their accurate fire the enemy gradually  
 ' fell back to the shelter of the woods Meanwhile Eyre  
 ' directed the full fire of his artillery on the enemy's centre,  
 with the view of forcing a passage through the wood They  
 scattered themselves right and left leaving the road clear,  
 and under cover of the Enfield Rifles the guns and baggage  
 ' were promptly moved forward and pushed through the wood  
 ' before the enemy could again close his divided wings Emerg  
 ' ing from the woods the road became an elevated causeway,  
 bounded on either side by inundated rice fields across which  
 the baffled enemy could only open a distant fire Finding  
 ' their intentions thus frustrated they hurried back to inter  
 cept the force at Beebeegunge, distant about two miles ahead,  
 ' where they had effectually destroyed a bridge, and com  
 " pletely commanded the approaches to it by breastworks, and  
 ' from the houses of the village Eyre again halted his force  
 to refresh the men and cattle, within a quarter of a mile of  
 the bridge and sent out scouts to search for a ford across the  
 ' river Bunas which separated him from the enemy No  
 ford was discovered and as it was plainly impossible to  
 ' effect a passage over the bridge Eyre determined on  
 " making a flank march to the nearest point of the railway  
 ' embankment distant only one mile, along which there was a  
 " direct road to Arrah This movement was for a time masked  
 " by the guns, which opened a brisk fire upon the village, while  
 " the infantry and baggage pushed forward in the new direction  
 " But, no sooner did the enemy discover the manœuvre than  
 they hastened in great numbers to intercept the force at the  
 ' angle of a thick wood which abutted on the railway  
 ' *En route*, Eyre discovered a ford but as his force had already  
 " passed it he proceeded, followed up pretty closely by a  
 ' large body of infantry and cavalry being raw levies of  
 " Koonwar Singh while the three mutineer regiments pursued  
 " a course parallel to his own on the opposite side of the  
 " stream On reaching the railway, it became necessary to  
 " halt the force and assume a defensive attitude until the  
 " mutineers could be dislodged from the wood, from which  
 " they opened a very galling musketry fire For a whole hour  
 ' the force was hotly engaged at a great disadvantage owing to  
 " the abundant cover which screened the enemy Twice,  
 " during this period, the mutineers, seeing the guns left almost

“ without support (L'Estrange's infantry being occupied in skirmishing), rushed impetuously upon them, and were driven back by discharges of grape. At this juncture, Hastings brought word to Eyre (who having no subaltern, was obliged to remain with the guns) that the 5th Fusileers were losing ground, and that our position was becoming critical. Eyre, therefore resolved on trying what a charge of bayonets would do and despatched Hastings with an order to L'Estrange to that effect. Unable immediately to find L'Estrange, Hastings at once collected every available man and himself most gallantly led them on. L'Estrange promptly joining on learning the order which had been given. Rushing forward with a cheer they cleared the deep stream (now confined within narrow banks) at a bound, and charged impetuously on an enemy twenty times their own number. Taken completely by surprise the mutineers fell back in the utmost disorder the guns opening fire upon their retreating masses and in a few minutes not a man of them remained to oppose the passage of the force. Thenceforward an open road was available, which skirted the railway to within four miles of Arrah where a little before nightfall the force was compelled to halt by an impassable torrent. The night was employed in endeavouring to bridge this over by casting into the stream large piles of bricks that had been collected on the bank by the railway engineers by which means the stream was narrowed sufficiently to allow the construction of a rude sort of bridge formed from country carts over which the guns and baggage marched without further opposition into the station of Arrah and the relief of the beleaguered garrison was accomplished. After their defeat at the railway the mutineers and Koonwar Singh had fled back with precipitation to Arrah, to remove their valuables to the jungle stronghold of that chief at Jugdespore.

Among the slain were sepoy's of nine different regiments a sufficient proof that, in this action Eyre's small force encountered, besides the Dinapore regiments, a formidable number of other trained soldiers of the regular army. We may remark here *en passant* that the scene of Eyre's action on the banks of the Bunas is the identical spot where Major Munro on 12th October, 1764, first encountered the troops of Shooja-ood-dowlah, following them up from thence to Buxar, where he so signally defeated them in a pitched battle on the 23rd of that month.

Eyre continues “ The relief of the garrison proved to have been most opportune, for their position had been so

"effectually mined, that a few hours' delay must have ensured their  
 "destruction They numbered sixteen European civilians, and  
 "fifty of Rattray's Sikh Police The position which they had  
 "so miraculously defended against the three mutineer regiments,  
 "aided by Koonwar Singh's levies was a small upper roomed  
 "house of substantial masonry belonging to Mr Boyle District  
 "Railway Engineer, by whose skill it had been fortified and  
 "provisioned in anticipation of some such crisis But the  
 "strongest position is of little avail where stout hearts and an  
 "efficient leader are wanting to defend it and, in the present  
 "case, such hearts and such a leader were forthcoming To  
 "Mr Wake, as civil Magistrate of Arrah who possesses in  
 "a rare degree some of the highest qualities of a soldier,  
 "no less than to the unflinching fortitude with which his able  
 "efforts were supported by his brave associates, may be  
 "attributed the salvation of the garrison During eight days  
 "and nights they were incessantly harassed and so closely  
 "watched that not a loophole could be approached with safety  
 "At one period their water failed and they owed their  
 "supply to the prompt energy of the Sikhs who in one night,  
 "contrived with most inefficient tools to dig a well on the  
 "ground floor twenty feet deep whereby abundance of good  
 "water was obtained During the last three or four days their  
 "position had been rendered doubly perilous by the fire of some  
 "guns of small calibre, which the enemy had mounted within  
 "fifty yards of the house the walls of which were perforated  
 "by their balls in all directions The defence of Arrah may  
 "be considered one of the most remarkable facts in Indian  
 "history \*

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\* Mr G O Trevelyan in the fourth chapter of *Competition Wallah* thus truly and graphically describes the Eyre of Arrah The English troops at Buxar were certainly a mere handful But there was a man there who was neither a novice nor a pedant neither a young soldier nor an old woman Wherever hard knocks had been going on within the last twenty years—and during that period there was no lack—Vincent Eyre had generally managed to come in for a liberal allowance. In the Affghan war the roughest of schools he had learned to preserve an equal mind in arduous circumstances When the intelligence of the outbreak travelling with the proverbial speed of bad news reached the station of Buxar Eyre at once made up his mind to march without waiting to hear whether an expedition had started from Dinapore Perhaps he was unwilling to leave the fate of the garrison entirely dependant on the energy and promptness of General Lloyd. Perhaps he thought that a good thing like the relief of Arrah would bear doing twice over His force consisted of a hundred and fifty and four English bayonets twelve mounted volunteers and three field pieces with their complement of artillerymen The distance to be traversed was fifty

Although martial law had been proclaimed in this district Eyre left the execution of justice in the hands of the civil authorities except in the case of certain native officials who had transferred their services to Koonwar Singh and had been taken prisoners in arms against the State. These men were tried by Drum Head Court Martial composed of the judge, the magistrate, and two captains Eyre himself presiding over the Court and, being found guilty, were hanged as an example. The inhabitants of the city and its environs were ordered to deliver up their arms in camp within forty eight hours, and, long before that time had elapsed a pile of 7 000 musceteer arms had been collected and broken up.

But, although the chief object of the expedition from Buxar had now been accomplished there was important work still remaining to be done. Koonwar Singh, with a large body of mutineers and armed retainers had fled to his stronghold at Jugdespore distant about sixteen miles from Arrah in the heart of a dense jungle. Captain L. Estrange, in reporting to Army Head Quarters truly stated — The difficulty attending the enterprize was, by universal report very great. The roads were represented as being (at this season of the year) almost impassable and the position of Koonwar Singh and his followers was deemed by all who had any knowledge of the country surrounding him as being inaccessible. He added ‘under all the circumstances a feeling of doubt if not of apprehension as to the success of our expedition might easily have prevailed. Troops less confident than ours were in the judgment, talent and courage of our leader.’

Eyre having been reinforced by two companies of H. M. S. 10th Foot and 100 of Rattray's Sikhs from Dinapore marched from Arrah on the 11th August passing over his late battle field *en route* where the marks of bullets on the trees bore ample

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miles as the crow flies and as the waters were out over the face of the country, and the population was in a state of open hostility the march proved long and formidable. On the way Eyre received tidings of the reverse sustained by Dunbar's detachment. It seemed foolhardy indeed to advance to the attack of an enemy who had just cut to pieces a force twice as strong as his own. But according to his view of the matter this consideration did not in any way affect the result of his reasoning. His axiom was the Arrah must be relieved. There was no one else now left to do the business so of necessity it fell to him. He had not many soldiers and would be glad to have more. He did not share the sentiment of King Henry at Agincourt. He would have been delighted to see at his back a thousand or two “of those men at Aldershot who did no work that day. But, as he had only a few he must perform in the work with those few. So, on he went, nothing doubting.”

evidence to the fierceness of the conflict. Next day, about 11 A M the enemy were found in strong position, having a river in their front, the town of Dulloor in their centre partially protected by earth works and in their rear the formidable belt of jungle which covered the approach to Jugdespore. An advanced picket occupied the village of Naranpore whence they were soon dislodged. The enemy's right was screened behind broken ground and low jungle until the near approach of Captain Patterson's skirmishers drew forth their fire, whereupon Eyre opened upon them with grape causing them to rise in confusion when a timely forward rush accompanied by a loud cheer from the men of the 10th Foot, drove them panic stricken into Dulloor and the adjacent jungle. Meanwhile L'Estrange and Scott with the 5th Fusiliers assisted by a field howitzer, held in check the enemy's left, consisting of Koonwar Singh's irregulars horse and foot which now simultaneously gave way and a hot pursuit ensued terminating only at Jugdespore itself. The enemy as they retreated through the jungle maintained a dropping fire on their pursuers and abandoned two field guns *en route*. Koonwar Singh had barely time to effect his escape in the direction of Sasseram leaving his stronghold in our hands.

Eyre followed him up ten miles as far as Peroo when he received from Dinapore an order of recall to join General Outram who had meanwhile arrived thus far in progress to take up his command for the relief of Lucknow. Before leaving Jugdespore Eyre in order more thoroughly to destroy Koonwar Singh's prestige among the natives blew up the palace and principal buildings, where he had established a manufactory of arms and ammunition and had laid up large stores of provisions, and which therefore offered a tempting rendezvous for malcontents in such dangerous times. Koonwar Singh bent his course towards Rewah, with the ultimate intention of proceeding to Delhi but eventually crossed into the Doab and thence to Oude where he carried on a desultory warfare for several months, until forced by the successes of the British arms in all quarters to retire to his native jungles, pursued by Sir Edward Lugard. In crossing the Ganges he received a mortal wound and perished miserably, though stout-hearted and defiant to the last.

On the 21st August the gallant little Arrah Field Force was finally dispersed, having terminated its brief and adventurous career in a campaign of three weeks' duration, fruitful in important consequences to the Government of British India. When this force was first improvised by Eyre at Buxar, on his

own responsibility, the entire province of Behar was in open insurrection having proclaimed Koonwar Singh as their Rajah and ruler the civilians of Arrah were besieged by the mutinous regiments of Dinapore without a hope of relief our river communication between Bengal and the Upper Provinces was in danger of being interrupted—a danger which imperilled the very existence of Havelock's small isolated force in the Doab and Bengal itself showed symptoms of a general rising What a change had Eyre's little campaign effected! Arrah relieved the Dinapore mutineers twice defeated and dispersed Koonwar Singh in full flight to the North West the district of Shahabad restored to order and tranquillity and the route of the Ganges open for the safe transit of our steamers and troops!

On the night of the 20th August Eyre was suddenly awakened from slumber to find the companions of his recent toils and successes standing round his bed to offer him the parting tribute of their esteem and gratitude The feelings of the Arrah garrison had been embodied in some spirited verses by Dr Halls, which that gentleman proceeded to read aloud whilst Eyre sat up in bed half wondering whether the whole was not a pleasing illusion of the fancy! But three rounds of hearty cheers with which the interview terminated sufficed to assure him of the reality

On the 19th August General Outram thus encouragingly addressed Eyre 'I have only time to thank you for your very interesting letter of the 5th instant which I have sent privately to the Governor General The official goes to-day to the Commander in chief officially Both will I am sure most highly appreciate your glorious little campaign What a refreshing contrast to the bungling that has prevailed elsewhere! Your successes enable me to dispose of troops who otherwise must have been detained here and especially am I rejoiced that your Troop is rendered available for even more important services At Benares I shall have the pleasure of meeting you when we can both talk over the measures I have in contemplation

So highly indeed did Outram estimate Eyre's services that he even recommended they should be rewarded by the Victoria Cross in the following terms — 'In viewing the steady resolve of Major Eyre to effect the relief of Arrah the perseverance with which he pursued his object and the gallantry with which he led his small force to victory even against such overwhelming numbers I respectfully submit that Major Eyre established a special claim to distinction and earnestly solicit His Excellency the Commander in chief

"to bestow on that officer the Victoria Cross" And to Eyre himself he wrote, as we have already recorded "If acts of devotion to one's country entitle to the Cross, then surely the devotion you displayed at Arrah to your country, and the advantage that resulted to the country from that act, ought to secure it to you of all men"

It arose from no lack of appreciation of Eyre's services that the Commander-in-chief withheld the Cross, considering a Companionship of the Bath the more suitable reward. Congratulatory letters poured in upon Eyre from all quarters, including the highest Government officials\* and the Governor General in Council conveyed to him officially his special thanks, accompanying them with an expression of 'admiration for the zeal judgment and resolution with which Major Eyre and his little force encountered and overcame the formidable obstacles opposed to them

It was to be expected that under Outram's command Eyre would not long remain idle. Accordingly on the advance from Allahabad to Cawnpore he was entrusted with a small expeditionary force to intercept, and, if possible destroy a formidable party of insurgents from Oude who with 400 men and four guns, had crossed the Ganges to operate in Outram's rear and cut off his communications with Allahabad. Eyre's force consisted of 100 infantry of H M's 5th Fusiliers 50 of H M's 64th Foot and two guns and he was joined in the wood by 40 of the 12th Irregular Horse. Marching by night the town of Khoondun puttee was reached a little before daybreak. The villagers reported the rebels to be near at hand if not actually within the walls of the place their boats being moored about a mile off. Eyre therefore ordered the cavalry to gallop ahead to guard the gates of the town and should the rebels have fled to pursue them to their boats and hold them in check until the infantry and guns should come up.

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\* "Although wrote Mr now Sir Cecil Beadon to Eyre I have not the honour of being known to you I will venture to claim your forgiveness for the liberty I take in expressing the gratitude and admiration which in common I suppose with every Englishman I feel for the prompt decision with which you resolved upon effecting the relief of the Arrah garrison and organized a force for the purpose and for the admirable skill and bravery with which you and your little army withstood and completely routed an overwhelming force of the rebels and finally effected your object with comparatively little loss. The expression of "gratitude and admiration from one who was Foreign Secretary to the Government, indicates most clearly the feeling of intense relief which Eyre's victory produced in Government circles.

All turned out exactly as had been foreseen, for the rebels hearing of Eyre's approach, had already begun to retire in hot haste to the river, and the cavalry, pursuing, reached the bank just in time to prevent the boats leaving their moorings. On the arrival of the infantry and guns Eyre gave immediate orders to board, and an obstinate resistance was made, terminating in a desperate attempt on the part of the enemy to blow up the boats with all therein failing to effect which they threw their guns overboard and precipitated themselves into the river where they were destroyed by discharges of grape from the guns, and a fatal fusillade from the infantry none so much as asking for quarter and only three of the whole number escaping alive. Thus Outram's instructions were fulfilled to the very letter.

Another large party of marauders from Oude, who had landed about four miles higher taking warning by the fate of their companions abandoned their project, and re-embarked before Eyre's cavalry could intercept them. The blow thus decisively struck was considered by Outram to have prevented a general insurrection in the Doab, and in forwarding Eyre's despatch, he wrote — 'I now consider my communications secure which otherwise must have been entirely cut off during our operations in Oude from which evils having been preserved by Major Eyre's energy and decision that officer and the detachment under his command are I consider entitled to thankful acknowledgments from Government which I am confident will not be withheld. His reputation as a successful leader had already been so well established that "I purposely selected him for this duty in the perfect confidence that he would succeed." This elicited a further recognition from the Governor General in Council.

Outram, having joined forces with Havelock on the 16th September, Eyre exchanged his light field guns for heavy iron 18 pounders drawn by bullocks and elephants and rendered further good service on the advance to Lucknow which took place immediately after. On the death of Brigadier Cooper on the 26th September while forcing a passage through the city for the relief of the beleaguered garrison, Eyre succeeded to the command of the Artillery Brigade which he continued to hold until the final capture of the city by Lord Clyde in March, 1858. Shortly after joining the Lucknow garrison he was prostrated by brain fever, brought on by exposure and fatigue, and owed his life to the tender care of Martin Gubbins and his wife. Subsequently, he took part, as Brigadier of artillery and cavalry in all the active operations of the force, and was repeatedly



mentioned honourably in the despatches of Havelock and Outram the latter styling him in one of his despatches as "the gallant Brigadier Eyre, whose victories at Arrah and Jugdespore have already given him an European reputation."

During the final siege of Lucknow, Eyre's artillery was mainly instrumental in repelling an attempt of the enemy's cavalry and infantry to break through the position at Alumbagh, which, if successful must have exposed Lord Clyde's flank and rear to their attacks besides intercepting his communications with Cawnpore. This affair was, however, for certain reasons best known to the Head Quarter Staff, hushed up as unworthy of notice, and what is stranger still, when Sir Archdale Wilson commanding the artillery at Lucknow sent in his final despatch making honourable mention of Eyre and his artillery subordinates at Alumbagh, it was brought back by a staff officer with an order for its erasure, as "*the Alumbagh had nothing to do with Lucknow*."

Nevertheless, by a strange inconsistency, when Eyre and Frank Turner were ordered to proceed to join their new appointments, a complimentary order was published to the army at Lucknow wherein it was stated — "His Excellency parts from them with the greatest regret and takes the opportunity of testifying the high opinion he entertains of them. *They have been specially retained with this force till now in consequence of that opinion.*" Still even this could scarcely make amends to Eyre for the total omission of his name from the final despatch which mentioned by name almost every other artillery officer who had so much as pointed a gun. The generous minded Outram ever disdainful of injustice, afterwards remonstrated against the omission and wrote to Eyre as follows — "I was as much disappointed as you could be on seeing the Commander in chief's despatch in print to find no acknowledgment was made of the services of the troops at Alumbagh and especially of yourself."

But whatever mortification Eyre suffered thereby, he was amply compensated by a letter from Outram himself, who thus expressed his feelings on the close of the campaign wherein they had been so long associated together — "I avail myself of one of the few leisure moments allowed me to thank you for the able, zealous, and invaluable service you have rendered me to give utterance to the strong feelings of admiration with which I regard you as a man, a soldier, and an officer, and to assure you of the warm affection which I bear to you as a friend. Your future career I shall continue to watch with deep and affectionate

“ interest, and if at any time or in any manner, I can be of the slightest service to you, I shall esteem it alike a personal favour and an honour to be permitted to aid you. But you are now far above the necessity for help from any one for you have well and fairly earned the highest position the service affords and doubtless will obtain it when opportunity offers ’

Thus terminated Eyre's active services in the field. His remaining years in India were passed in comparative seclusion at the gunpowder agency of Ishapore —where he twice received the thanks of the Secretary of State for India —and latterly in the more laborious and important post of Inspector General of Ordnance in Calcutta. During his residence here, Eyre warmly advocated in the editorial columns of the *Friend of India*, the establishment of military colonies in the Himalayan mountains, and found a supporter of his views in Sir Hugh Rose. The subject has very recently been taken up in England by Dr F. Mouat and been ably handled in two lectures delivered at the Royal United Service Institution, at which Eyre presided by special invitation.

He also took occasion while at Ishapore to give a practical demonstration in the presence of Lord Canning and Sir Hugh Rose of the adaptability for military purposes in India of the metallic floating waggons on which he had lectured when in England for pontoon purposes on the rivers of India. Two of these waggons being lashed together were launched on the Hooghly and found capable of floating a nine pounder field gun and its full proportion of gunners. Such was the impression made on the minds of the Governor General and Commander in chief, that he was at once appointed President of a special Pontoon Committee which entered thoroughly into the subject and whose report, it was hoped, would ere now have led to some remarkable practical results in the reorganization of our pontoon system for army purposes in India.

On the establishment of the ‘ Outram Institute,’ at Dum Dum to commemorate that great and good man's services by carrying out his own benevolent views for the welfare of the British soldier in India, Eyre was selected as President of a Committee for the practical development of the scheme which under the auspices and leadership of the Revd Mr Norman, may be said to have eclipsed all other attempts of a similar kind theretofore made although the example has since been followed with remarkable success in other military stations.

He was selected by Lord Canning as a member of the Army Amalgamation Commission in 1861, and it is now well

known that, had the suggestions of that Commission been attended to by Sir Charles Wood, that minister would have saved himself and his country from the shame and trouble brought upon both by the incessant well founded complaints, wherewith every subsequent year has teemed, of injustice and bad faith,—complaints which have at length wrung some tardy concessions from his successor

In the spring of 1863, the state of his health having obliged Eyre to repair to England, he became a Major General on the full pay retired list, and his active career in India having thus terminated he was recommended by Sir Hugh Rose to the Home Government for further honours. These, however have not yet been conferred, although backed by the Governor General in Council and by the Home Council of India. neither has his name been included in the list of good service pensions for which he was equally eligible with other retired officers of artillery who have received that reward and whose services cannot be said to have surpassed those we have here recorded. Nor, to the universal surprise of the Indian public as evinced in many a newspaper article no less than in conversation amongst military men, was the Knighthood of the Star of India conferred upon the man who had contributed far more than most recipients of the honour to maintain the connexion of India with England.

England, indeed sometimes acts strangely in such cases. She makes heroes of officers who leave their posts during an action she bestows prize money upon men who were hundreds of miles from the place of capture whilst those by whose daring efforts and brilliant victories in the vicinity that capture was made possible are left unrewarded. she showers with an indiscriminate hand crosses and decorations, whilst an action which in any other country in the world would have raised its originator to high command and great honours which in France was regarded as the brilliant action of the mutiny campaign, is in England rewarded with a decoration, such as is ordinarily given to military men for the most ordinary services.

Of all men in the world, however, Vincent Eyre can best afford to remain undecorated. His deeds need no adventitious prop, no tinsel ornament either to support or to commend them to his fellow countrymen. They speak for themselves to his contemporaries, as they will speak to posterity. The neglect which he has experienced will only cause those actions to be enquired after which stamped his name on the history of a crisis during which the British power was brought down

to a lower ebb than it had ever known before. It will never be forgotten that it was Vincent Eyre, who first dealt the most fatal and deadly blow to the rebellion at whose hands the mutineers first received a retribution as prompt as it was effective. That successful march to Arrah acquires greater lustre from the fact that it followed immediately upon the defeat of double the number of European soldiers under another leader—that it was made in the face of men trained in our school, whose hands were yet red with the victory they had achieved over a larger force who knew that with the defeat of Eyre they would gain possession of Behar,—would be in a position to march upon Bengal. Looking at men as they are, we may well assert that there are few who would have taken upon themselves the responsibility at which Eyre so eagerly clutched. There was no tarrying, no delay, no telegraphing for instructions, no sheltering himself under the wing of others. On the contrary, not only did he show himself able to think and act at the same moment—one of the highest attributes of a man—but he was ready to take all responsibility,—the responsibility of every one joining his force—upon his own shoulders—to give orders in writing—to do anything in fact to insure movement and action. When we think how rare such qualities are in the world—that other men who from interest or from their official position obtained a factitious reputation during the mutiny showed when brought into action that they possessed them not—we must the more honour the man who not only possessed but used his great gifts to such purpose,—to the saving of British interests in India. For however much in these days of peace and security some people may be inclined to undervalue the effect of the great success of Arrah, this we know for a fact that at the time it was regarded as the turning point of the mutiny, as the death blow to rebellion in Behar, as so strengthening the hands of Government, as to enable it to turn its undivided attention to affairs in the North West. What if Eyre had not succeeded? Where then would have been Havelock? Where the beleaguered garrison of Lucknow? In what a position would have been the Commander in chief with the whole country between Allahabad and Calcutta in insurrection? Who can doubt that Ghazepore would have gone, that Patna would have gone, that Calcutta itself would have been sorely threatened? It was not possible, indeed, that a Lloyd or a Hewitt should have occupied the place of an Eyre. Men of that calibre are not the adventurous to whom alone adventures are possible. It

needed for such an expedition a leader who laughed at responsibility when it might affect his action, who was cool, determined, resolute, who possessed the brain to contrive, the nerve to carry out, his daring plans. Such leaders are rarely met with now a days,—but such an one the Arrah field force possessed in Vincent Eyre.

The warm personal feelings which we entertain towards the subject of this sketch, knowing as we know how much there really is to admire in his character, have prompted us to the task,—the pleasing and inspiring task,—of laying his deeds, just as he accomplished them, before the readers of this *Review*. We have done this, of design, barely almost nakedly. We have avoided everything but a recital of facts as they occurred, preferring to our own comments, the comments of such men as Lord Canning, Sir James Outram, Sir Cecil Beadon, and others whose testimony cannot be doubted. We have given the simple outline of a career of a British officer in India, commencing in the steady performance of his duty, he himself aiding that performance by constant study, and culminating in an expedition and a victory, both of which testified to the excellence of the seed sown, to the fertility of the soil in which it had taken root. How true indeed is the apothegm, that a life of preparation will not fail of glory—how still more true, if possible, the dictum, that the opportunity will not fail the man, if the man only fit himself for the opportunity!

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**ART III** — *The Bombay Survey and Settlement Act (Act I of 1865)* *An act to provide for the survey demarcation assessment and administration of lands held under Government, in the districts belonging to the Bombay Presidency, and for the registration of the rights and interests of the occupants of the same*

**T**HE Bombay Presidency proper contains three grand territorial divisions the fertile plains of Gujerat the Concan between the sea and the Western Ghauts and the elevated lands of the Deccan It is divided into seventeen collectorates or sub collectorates the supervision over which in matters of revenue and police is entrusted to two Commissioners, one in the Northern, and one in the Southern Division The extensive but comparatively barren and unproductive territory of Sind nearly equalling in area the rest of the Presidency, has been for upwards of 20 years under the Government of Bombay, and is entrusted to a Commissioner who exercises a greater authority in matters of civil government than the other Commissioners, and who corresponds more nearly to a Chief Commissioner in other parts of India.

The portion of this great territory, that belonged to Great Britain at the commencement of the present century was most insignificant With the exception of the Island of Bombay and a few other places, the collectorate of North Canara may be said to be the oldest British possession, it having been conquered from the Mysore House in 1801 for 60 years it remained under the Government of Madras and, in 1862, it was transferred to Bombay Fifteen of the districts came to us at the fall of the Peshwa in 1820 and the extensive province of Sattara lapsed twenty years ago

For years before the overthrow of the Poona Government, the Mahratta territory had been overrun with contending armies, and subjected to all the evils of misrule and anarchy When we assumed the government in 1820 nothing could exceed the disorder that prevailed in all matters connected with land and

the land revenue. The old tenures and assessments were subverted, fraudulent claims to exemption from the payment of land revenue were based upon false entries in the public registers, none but the most influential could venture to call his land his own, the assessments were liable to constant alteration at the caprice or discretion of the local or village officers, and corruption and peculation were prevalent. For the first few years, after the conquest of a warlike and turbulent country, our attention was chiefly directed to measures for strengthening our own position and taking stock of what we had obtained and but little was done systematically for the improvement of the civil administration of the new provinces. At length, in 1827 the Code of Regulations known as the Elphinstone Code became law and was gradually introduced into all the territories subject to the Government of Bombay. This Code as originally published on the 1st January 1827, contained twenty six Regulations classified as follows —

- 1 Preliminary
- 9 Civil Justice
- 5 Criminal Justice
- 6, Revenue Branch
- 1, Military
- 4 Miscellaneous

From 1827 to 1834 the Government of Bombay continued to exercise legislative powers and passed numerous Regulations altering and amending the Code, but leaving its main features almost untouched in which state it remained for the next quarter of a century, during which the legislative power was vested in the Supreme Government.

The great Indian Codes that have been enacted during the last six years, have entirely destroyed the Bombay Regulations as a Code with the exception of a few provisions of the civil and criminal branches and the six Regulations contained in the revenue branch the Code may be considered as repealed. It is not our object to advert here to those portions of the Code that related to the civil and criminal law, but we may observe that they had become overlaid by interpretations and amendments, and were not adapted to the requirements of the time. The Code was an undoubted improvement in 1827, and acted as an agent of civilization for many years, to an extent which can scarcely be conceived by those who have not a knowledge of the state of the country, when we first took possession of it. But in 1860, it was high time that it should give way to a more perfect system of law, and none, who have turned their attention to the matter, can doubt that the Indian Penal

Code, and the Codes of Procedure are fully appreciated by all the natives of the country who have enough intelligence to study the law. The accuracy of definition, the sound practical wisdom that underlies the whole fabric and the evident marks they bear of being the result of the laborious thought of highly cultivated minds command the admiration of all, for these by far the most magnificent monuments of our rule in India.

But it is to the Revenue Code of Bombay that we propose to direct our attention, and chiefly to that portion of it relating to the land revenue as it is contained in the 16th and 17th Regulations of the original Code and the various Regulations and Acts by which these have since that time been modified.

Regulation XVI of 1827 consists of three chapters the first two of which relating to the appointment of Collectors, their assistants, and stipendiary establishments remain almost unaltered and call for no remark. The third chapter relates to the appointment of hereditary officers as agency which has always exercised a great influence in the territories of Bombay, and has been considerably modified by Act XI of 1846.

The substantive law of the relation between Government and the cultivators of the soil is laid down in the seventeenth Regulation which is by far the most interesting of the whole Code, and we propose to discuss the principles contained in it, and to examine their gradual development into the present revenue system of Bombay. The duties of a Collector as defined in the 16th Regulation, are "To assess and collect the several descriptions of public revenue entrusted to his management, according to established usage and to decide certain civil suits and to try claims to exemption from the payment of land revenue" (Regulation XVI of 1827 Section 2) and these duties are explained in detail in the following Regulation, the first chapter of which relates to the assessment of land, the next six to the collection of the revenue the eighth to the trial of civil suits connected with land and the ninth and tenth to claims to exemption.

The principle, on which the rules for assessing land are based, is that all land is subject to the payment of land revenue which shall be assessed by the Collector according to the established principles that govern the assessment of lands of the description "to which it belongs," unless a claim to exemption be proved, that the settlement be made with the occupant or person entered in the land registers as occupying the land, and shall not exceed any "specific limit that may have been established and



"preserved," that the occupant shall be liable in person and property for the revenue of this land, and that the Collector shall fix the dates at which the instalments of revenue fall due

It will thus be observed that subject to the control of Government, a wide discretion was left to the Collector in fixing his assessments from year to year. He was only bound to recognize proved exemptions and established limits, and as the only limit recognized in the provinces conquered from the Peshwa, was that the assessment received not exceed two-fifths or one-third of the produce, it will be evident that there was scope for much rackrenting. The exercise of this authority was, however, practically limited by the number of holdings, and the great amount of work devolving on the Collectors, and no general revision of the assessment took place. Individual cases were taken up by the native officials not always with strict regard to justice and moderation, but the bulk of the assessments remained from year to year as we found them at the conquest. The existence of such a power of interference gave great opportunity for dishonest and corrupt practices, and it is believed that in some districts, at least, the most shameful extortion was common. Besides this it was held that with the exception of a few favourable tenures no land was the property of the occupant who might at any time be ousted on another person outbidding him and agreeing to give a higher rent.

The state of things that existed a few years after the passing of the Elphinstone Code was eloquently described by Sir Bartle Frere in a speech, delivered at the time of discussing in the Bombay Council, the Act whose title stands at the head of this article.

"His Excellency the President said that after what had been stated in the petitions laid before the Council that day, he was unwilling to let the Bill be read a second time without bearing his personal testimony to its being a most valuable and necessary measure, and one, as far as he could judge, singularly free from all the objections which had been stated against it. Nearly thirty years had passed since he was personally connected with the operations which led to the commencement of the survey in this Presidency, and was himself employed in the districts in which the survey was first introduced. It was impossible to give any one who had not seen the country at the time he was speaking of, an idea of how this India, which is always said to be so immutable, had changed for the better, and how much of that change was due to one good measure of administration, steadily and consistently carried out

"The principle of the Bill was two-fold, *1st*, the Bill stereotyped the change to which he had adverted by confirming the past proceedings of the Survey Department, and *secondly*, it made provision for the future prosecution of the same beneficial process, hereafter. To give some idea of the state of this part of the country, before the changes in the revenue system, to which he alluded had been introduced he would briefly describe the condition of the people of the Deccan as he saw them in the year 1835, when, shortly after his arrival in this country, he was employed as an assistant of Mr H E Goldsmid whose name could never be mentioned without regret at the early loss of one of the most valuable and devoted servants this Government had ever possessed. Mr Goldsmid was sent to enquire into certain charges of mismanagement in some of the districts of the Poona Collectorate. The whole of the Decan had been more or less exhausted by the errors and mismanagement of former Governments. The removal of the native court and army had destroyed the local market for produce. No foreign trade, adequate to supply its place had grown up. The prices of agricultural produce and of labour had for years been steadily falling and the Government revenue was as steadily decreasing. But what most attracted the attention of Mr Williamson Ramsay, so well known as the sole and most able Revenue Commissioner of that time was the extreme difficulty with which even an inadequate amount of revenue was extorted from the cultivators, and he deputed Mr Goldsmid and Lieutenant (now Colonel) Shortrede to inquire into the truth of the charges of oppression, which had been made against the revenue officers of the district he referred to. The situation was shortly this. Rarely more than two thirds of the culturable land in any district were under cultivation. Frequently as much as two thirds of the land was waste. Villages almost deserted were frequently to be met with some were *bèchiragh* without a light in them, utterly uninhabited. The people were sunk in the lowest depths of poverty, they had few recognized rights in the land, the boundaries of the different villages and different estates were often unsettled and gave rise to disputes which there were not the means of finally deciding. The revenue to be derived from the land was practically dependent on the discretion of the local officers. There were it was true, fixed customary rates which nominally regulated the assessment to be paid. But they were so much higher than could possibly be paid at the then existing prices of produce, that it was necessary to grant remissions, of the necessity for and extent of which the local officers were the sole judges, and it was thus practically

“left to a very ill paid class of inferior officials to decide what should be taken from the people

“The results of such a system might be easily guessed In good seasons, the people were forced to pay to the uttermost farthing, without having the certainty that what they paid really went to the Government Treasury In bad seasons if they were unable to obtain remissions, they had no resource but to leave the country and seek subsistence elsewhere

“He (the President) had seen many of the victims of this most wretched system People had been brought before Mr Goldsmid who deposed to having been tortured in the most cruel manner in consequence of their inability to meet the demands of the native Collectors They had been exposed to the heat of the sun and were forced to stand with large stones on their heads, or to lie down with heavy weights laid on their chests This state of things was reported by Mr Williamson Ramsay the Revenue Commissioner to the Government He showed that the fault lay less with the under paid officials than with the Government itself which required from its servants an impossibility, *viz* to realise the assessments of the most prosperous day of the Mahratta empire when prices had fallen far below their former amount He urged the injustice of entrusting such powers to ill trained officials at a distance from all effective control, without taking the proper precautions of giving them such a salary as would place them above the influence of temptation He pointed out a truth which is now generally recognized and acted on, that the true secret of a good land revenue system is moderation in demand that if the demands were moderate cultivation would certainly increase that the cultivators would be sure to prosper and that in their prosperity the State would share It so happened that these suggestions fell on kindly ground Sir Robert Grant was then Governor of Bombay, than whom a more able statesman or larger hearted philanthropist has never been at the head of the Government of any Presidency On receiving the Revenue Commissioner's report he cordially sympathised with his views, and charged him to see that the great principles to which he had given expression were effectively carried out In execution of these orders Lieutenant Wingate was associated with Mr Goldsmid with a view to devise a complete plan for a general survey, and an equitable assessment of all Government land These gentlemen were ably seconded by several officers chiefly drawn from the Army And he (the President) might remark that this was only one of the many occasions on which the Government of India had been indebted to the Army for

“officers who had rendered the most effective aid in the general administration of the country. He should only weary the Council if he were to describe the different parts taken by these officers in the operations of the survey. He could not, however, refrain from mentioning the names of some of the gentlemen to whom at the outset the supervision of this duty was entrusted and to whose zeal and ability in laying the foundation the excellence of the superstructure is mainly due.

Lieutenant Nash of the Bombay Engineers of the first and ablest of their number was no more. Lieutenant (now Colonel) Gaisford and Lieutenant (now Major) Davidson had long since retired from the Service and were both he believed still living a life of active benevolence in their native country. Two of the original officers however of that time Majors Francis and Anderson, had been throughout in active charge of survey operations and were he was glad to say now at the head of the Survey Department they had never ceased to preserve with religious fidelity the great principle which had been laid down by Messrs Wingate and Goldsmid. It was but a small part of the praise to which these officers were richly entitled to say that the success of the Revenue Survey in the Bombay Presidency depended in a great measure upon their high qualifications and tried character.

This description applied more or less to the whole of the Deccan and Gujerat but not to the Concan or to the district of Canara. There a feeling of property in land and tenures undisturbed for generations had created a very different state of things for which an exceptional mode of treatment will be provided.

The features of this plan devised by Mr Goldsmid and Sir George Wingate as finally sanctioned in 1848 are as follows—Each of the three superintendents of survey had six or seven assistants, two of whom were called ‘classing’ assistants and the rest ‘measuring’ assistants and under each assistant were about twenty native classers or measurers. When a district was to be surveyed the survey officers were appointed assistants to the Collector so as to give them a legal power of entering the land and assessing it. The land of each village was then surveyed and measured out into fields or numbers of convenient size each separate holding, as far as practicable, being made into a separate number or numbers which were all demarcated with boundary marks. The native measurers were kept at work in the field during the eight fine weather months their operations being tested by the assistant by theodolite surveys, and his tests in turn

examined by the superintendent. The waste and unowned lands of the village were also measured off into convenient fields and during the monsoon, the work of the fine season was recorded on maps, and a rough field register was prepared. The map and register were then handed over to a classing assistant whose duties consisted in examining the soil of each number, and other circumstances affecting its productive powers, when a place was assigned to it in one or other of the three scales of relative value under the three heads of 'garden'

irrigated, and dry'. The information collected by the measurers and the classers was then sent up to the superintendent on whom the most delicate part of the work devolved. He had to fix the maximum rate of assessment for each of the three scales or that rate which a field of the highest possible class should bear. This the turning point of the whole system seems a mysterious process and we have been unable to find any clear explanation of the method adopted. Apparently much was left to the natural and acquired sagacity of the superintendent. By tentative processes maxima were struck that yielded a revenue for the village or circle of villages equal to the average of past years and these were lowered or raised as the circumstances of the district seemed to require a decrease or to admit of an increase in revenue. The maximum once fixed all the other steps followed readily each field fell into its place and the area and rate gave the total assessment which was then declared in force for thirty years, and the earliest settlements are now nearly approaching their term. It was felt that the improved condition of the people and their greater independence made it necessary to strengthen the hands of the Survey Department, and in spite of the strenuous opposition of some interested landowners, the Survey Act of 1865 was passed. By this Act the duties of assessing land are taken from the Collectors, and vested in officers of survey who are formed into a separate department no longer under the Civil Commissioners of the division but under Special Survey Commissioners who correspond direct with Government, and full powers are given them to exact assistance and lay down boundaries. Legal sanction is given to settlements for thirty years being made and occupancy under them is declared (Section 36) to be a transferable and heritable property' with a right of renewal at revised rates on the expiry of the term of settlement and Government further binds itself that the revised rates shall be fixed "not with reference to improvements made by the owners or occupants from private capital and resources during the

" *currency of any settlement under this Act*, but with reference to ' general considerations of the value of land, whether as to " soil valuation, prices of produce or facilities of communication,' (Sec 30) another Section limits the duration of a settlement to thirty years, and reservation is made of power to impose special local cesses for municipal improvement

The words marked in Italics suggest a serious consideration whether the occupants under settlements made *before* the Survey Act was introduced, are liable to have their assessment revised with reference to their own improvements and it would be well for the Government of Bombay to set this doubt at rest, as its existence implies the possibility of a short-sighted and grasping policy being attempted. We can not doubt but that the omission was unintentional and that the integrity of the guarantee will be confirmed to all the settlements effected before the passing of the Act

The result of the system of survey and assessment that has thus been stereotyped by this Act has been satisfactory though it by no means comes up to the merit assigned to it by its staunch admirers. It had three avowed objects which were— (1) to equalize the assessment (2) to survey and measure the land and (3) to give a fixity of occupancy rights. The second and third of these objects have been obtained with remarkable success and under the combined influence of the settlement of an unexampled rise in prices and of other measures of good Government the position of the agricultural population has greatly improved. But as regards the attempt to equalize the assessment the success has not been so great. The records of sales of land effected of late years show the most marked discrepancy between the survey assessment and the market value of the land assessed. Some fields sell at more than a hundred times the assessment and some at less than one year's assessment and making every allowance for special enhancement of value there can be no doubt that the equitable distribution of the land revenue has not been accomplished in Bombay. One result however has followed from the survey which is very remarkable and probably entirely unexpected by its originators. This is the establishment of the practice of periodical revision of the assessments as a fundamental principle, and the avoidance of the prescriptive enjoyment of unchanged rates of assessment, which, in parts of the sister Presidency of Madras seems to prevent any increase to the land revenue. There is no doubt that the assertion by Government, at so early a period of our occupation of the right to revise and increase the assessment has placed the Government of Bombay in a

position of advantage as regards its ryots and it now remains to be seen whether these rights of the Government will be given up in obedience to Sir Charles Wood's despatch of 1862, and the demands of sound policy. The limitation of the duration of future settlements to thirty years, inserted so pointedly in the Act of 1865 seems to indicate an intention to avoid a permanent settlement of the land revenue but as yet no other indication of the views of Government on this important matter has been made public.

There is no doubt that a certain advantage of financial position is secured by retaining the power to revise and increase the land revenue from time to time but it can hardly be esteemed a privilege to be the only part of India where such a power exists as the temptation to draw upon a province so easily squeezed must be hard to withstand.

On the other hand we view the arguments for a permanent settlement of the land revenues of India brought forward in Sir Charles Wood's despatch of 1862 as incontrovertible and only surpassed in exigency by the one based on the existence in that despatch of a solemn pledge of Her Majesty's Government, on the strength of which English capital has been invested in the soil of India. But the great question of burdening the land with the cost of Government that now agitates the mind of men at home in its application to Ireland or to India is one that demands for its due consideration a separate article.

The only other provision of the Survey Act, which it is necessary to notice is one for giving legal authority to a rule for preventing the sub division of numbers. With few exceptions, a person was bound to take up retain or relinquish entire numbers, and no sub occupancies were recognized by the revenue officers. The 45th Section of the Act lays down a similar rule for the guidance of all civil courts. There has not been time to ascertain the result of this enactment but it appears simple and effective, and will probably be found to answer well.

The powers of a Collector for realizing the land revenue were much the same as in other parts of India. If he anticipated any difficulty he would lay an embargo on the crop before it was reaped, and he could levy the revenue by distraint or imprisonment. The practice enjoined by the survey rules was to sell a portion of the defaulter's land it being argued that his liabilities in future years being small would be more readily met, at the same time as his arrears for past years were discharged. But of late years in surveyed districts there have been no instance where recourse to such violent measures was necessary. The Collector's powers can be exercised on behalf

of a superior holder, with this great difference between the Bombay and Madras systems that whereas in Madras the superior holder could himself distrain the tenant's goods and chattels and hand them over to the Collector for sale no such power was given by the Bombay law, under which the distraint, as well as the sale was effected solely by the Collector

By the Code of 1827, the Collector was vested with the powers of a civil court, with regard to all suits for (1) the possession of land (2) tenures (3) rent (4) use of wells tanks water courses and roads and fields (5) boundaries And by Act XVI of 1838 the cognizance of all suits regarding the possession and tenure of land was vested in the civil courts the revenue courts having power only to give *ad interim* orders in cases of wrongful dispossession By further legislation in 1865 suits for rent and water rights were also transferred to the civil courts and questions relating to boundaries are disposed of under the Survey Act The civil jurisdiction of the Collector has therefore ceased to exist, and his power is limited to enforcing the payment of Government revenue for the current or former years assisting landowners to collect their dues for the current year and passing summary orders in disputes about possession The difference in the position of Collectors in Bengal and Bombay will be noticed and the freedom of the latter from all work of the nature known as Act X Suits There is no doubt that if the judicial machinery is sound and strong enough it is right that civil suits of all descriptions should be brought within its scope and the separate semi-judicial 'Revenue Courts' can only be viewed as a temporary makeshift to be abolished in Bengal as in Bombay so soon as the regular courts can undertake their proper functions

The duty of hearing and deciding on claims to exemption from the payment of land revenue was also vested in the Collector by the Code of 1827 but like the duties of assessment have been transferred to a special department, but not with the same happy result It was found that the Collectors were quite unable to carry out such a systematic and complete enquiry into titles as was considered advisable and about 1848, separate Enam Commissioners were appointed who afterwards merged in the Alienation Department established by Act XI of 1852 By this all powerful machinery with complete control over all the extant public records of former dynasties, and a most intimate knowledge of every circumstance that could affect its inquiries raised above the law and presided over by officers, than whom none abler could be found, or



less liable to be moved by sympathy with any claim to exemption however old, if it failed to reach the prescribed standard of proof an investigation into titles was carried on for years till after the terrible events of 1857 it was thought necessary to abandon the measure and to offer to all those, whose titles to exemption had not been adjudicated the alternative of having their titles confirmed on payment of an annual quit rent of one quarter of the then existing survey assessment. Considering the moderation of the existing assessments, it is not surprising that these terms were eagerly and readily accepted as well as the further boon that was offered of having the rent-free land declared freely saleable and transferable on payment of a sum of one sixteenth of the assessment. By this means a very considerable portion of the lands of Bombay has been permanently alienated and settled at quit-rents varying from one quarter to one half of the survey assessment and the great value of these estates will be seen when at the close of the thirty years settlement the assessments on the surrounding Government lands are doubled or trebled.

We have thus attempted to explain in a short and general way the present state of the law affecting land revenue in the Presidency of Bombay. Let us glance for a few moments at the position of a ryot or occupant of land the assessment of which was settled twenty or twenty five years ago. We will suppose him to have increased the value and size of his estate by improvements and the purchase or grant of waste land and that instead of being worth two or three times the annual assessment it is now notwithstanding the shortness of the remainder of the lease worth from thirty to forty times the assessment. When the settlement expires he will have the right of renewing it for whatever further period not exceeding thirty years the Government may offer on the assessment which may after revision be imposed. Supposing what can hardly be doubted that the Government will give the same consideration to the owner's improvements made during the currency of former settlements, as they promise to those made after the passing of the Act two points will remain for decision by the officers to whom the task of revision is entrusted. The *first* is to fix the proportionate shares of the increased value that is due to the owner's private capital and resources on the one hand and to "general considerations on the other"—and the *second* is to fix the duration of the new settlement. No one will fail to recognize the difficulty and importance of both those operations, and we shall look with great interest to any proceedings of the Government of Bombay

that may throw light on their intended policy. It is probable that Sir Bartle Frere has left on record for his successor's information some expression of his own views, although in his place at the Council of India he will be in a better position to watch the progress of the revision.

There is one point connected with the passing of the Bombay Survey Act that cannot be overlooked. Large survey establishments costing many lacs of rupees annually have been at work for nearly thirty years and it is understood that the survey and settlement of the whole Presidency (except Sind) will be completed in a very few years. It does not appear therefore why on the eve of the completion of the survey a new and costly department was created and given a legal status. We have seen no paper that throws light on this point and if it is intended, as may be presumed to do away with the survey establishments when their work is done it seems a pity that these administrative details were embodied in the Act especially as the previous system had worked so well and been so successful. We trust that it is not intended to maintain the Survey Department for the revision of the assessment as the several settlements expire, a duty which the Survey Act does not in any way require to be done by survey officers but which might be safely left to the Collectors who will by that time be relieved from the pressure of work caused by the breaking up of the Alienation Department and able to turn their attention to the preparation of statistics for the new settlements. A system seems to have grown up in Bombay by which all difficult questions affecting land revenue or a Collector's duties are referred to the Survey Department and while every document that we have seen bears witness to the admirable manner in which the officers at the head of that department perform the extraneous work thus thrust on them as well as their own legitimate functions it cannot be doubted that this system generates a want of self confidence on the part of the regular officers of revenue the effects of this may be to lessen in some measure the power of the Collectors to deal with general questions in a practical manner but that feeling will soon wear off, and can afford no reasonable grounds for maintaining the costly Survey Department of Bombay even if our finances were more flourishing than they are. The revision of the settlement (unless a fresh survey is required) is a duty that fairly belongs to a Collector and we cannot be too much on our guard against yielding to the temptation that besets those entrusted with administration, of creating special departments with the object of ensuring that difficult questions shall be

placed before them by responsible and carefully selected persons in such a manner that reliance may be placed on their opinion and thus relieving themselves of a laborious task. No one knows better than Sir Bartle Frere or has better expressed the evils of centralizing by departments instead of by individuals and we cannot avoid expressing some surprise that it should have fallen to his lot to pass a measure that created a separate department for the performance of duties which in all other parts of India are under the control of the Board of Revenue.

We understand that the Bombay Survey Act has been extended to the province of Sind and to the district of North Canara, recently transferred from Madras to Bombay. In a former volume\* we have discussed the peculiar tenures of Canara and it is to be hoped that the Bombay survey will succeed in settling this difficult country on a firm and equitable basis. It is desirable that some information regarding the progress of the survey there and in Sind could be afforded in the administration reports or by the publication of official reports. At present the results are concealed from the public who are almost as much interested in them as the Government.

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\* See No 42 for December 1853

- ART IV —1 *Elphinstone's History of India* 3rd edition  
London, John Murray, Albemarle Street
- 2 *Ajeen Akbery, or the Institutes of the Emperor Akbar*,  
translated by Francis Gladwin Esq In three  
volumes Calcutta, 1786
- 3 *Early Travels in India Purchas's Pilgrimage* Calcutta,  
Lepage & Co , 1864
- 4 *Travels in the Mogul Empire* By Francis Bernier  
translated by Irving Brock Calcutta R C Lepage  
& Co
- 5 *History of the Mahomedan Power in India till the year  
1612 translated from the original Persian of Maho  
med Kasim Ferishta* By John Briggs, M B A S  
Lieutenant Colonel in the Madras Army London,  
Longmans, 1829
- 6 *Inde*, par M Dubois de Jancigny et par M Xavier  
Raymond Paris Firmin Didot Frères, 1845

OF the many thousands who visit every year the city of Agra of the hundreds of thousands who poured into it last November to witness the splendours of the Viceregal reception, held, if not in the ancient halls of the Moguls, yet on the plains which surround their whilom capital, there must have been some at least to whose imaginations the past, speaking out from marble tombs and deserted palaces, appealed with a force more than sufficient to drive away even the gorgeous spectacle of the present. There were few we will hope, so unimaginative upon whose spirits the aspect of by gone grandeur, so plainly visible in the great buildings of Agra and its vicinity, did not make some impression. To a large majority of yearly visitors, indeed, in a greater or less degree, as they survey the splendid ruins of Futtehpore Sikree, or the marble halls of the magnificent palace in the Fort, whence the edicts of the Emperor gave law from Affghanistan on the

north west to the extremities of Bengal to the eastward, whence he ruled Cashmere and administered even some portions of the Dekkan, this question must always present itself "Who were these great sovereigns, these mighty monarchs, whose names are still household words among the Mahomedans of Hindostan, and the greatness of whose conceptions is evident to us by these magnificent monuments, by these splendid palaces at which, we natives of another continent, claiming for ourselves almost a monopoly of civilization, can gaze only with mixed wonder and delight? Who and what were these men? What means did they employ to conquer, to administer, to raise these lasting monuments of their sway?"

Who were these men? Who at least, was the chiefest and greatest amongst them? The answer is to be found in the very name of the city in which the idea first occurs to the enquirer. Agra is but the old Hindoo designation of the once capital of the empire of the Moguls. Under their dynasty it received another and a more significant name—a name that told the world who he was that had made it great who had raised it from the lowly position of a Hindoo village to the proud elevation of capital of Hindostan. That name was Akbarabad, the city of Akbar—of Akbar the glory of the Moguls.

It is not our intention on this occasion to enter into a history of the place which Akbar thus delighted to honour,—though that is a task which has never yet been attempted, and which loudly calls for a historian—nor do we propose even to offer a detailed account of the exciting events of the reign of that great monarch,—each of them demanding long and patient investigation. Be it rather ours to examine the system which succeeded so well with him personally to glance at the principles by an adherence to which he built up, in a few years a mighty empire,—an empire which he transmitted intact to his son and which he fondly hoped would descend as a complete inheritance to his latest posterity.

We are the more encouraged to take this view because it is beyond question that whether we regard the liberality of his views, his love of justice, his care for his subjects, none of the monarchs who reigned over Hindostan ever approached Akbar, because likewise if we compare him with contemporary European sovereigns, he gains immensely by the comparison. So highly indeed are his elevation of mind, his freedom from prejudice, his grand conceptions considered even in the present day in the West, that his system of administration has been referred to as that which his English successors to the empire of Hindostan ought to study and follow. "Those

who rule in India,' wrote to us not long since an illustrious statesman, "should take lessons from Alexander and Akbar "

Jeellal-ood deen Mahomed Akbar, the grandson of Baber and seventh in descent from Tamerlane, eldest son of the Emperor Humayun and his wife Hamyda-Bénou Begum, was born on the 14th October, 1542, at Amerkôt in the valley of the Indus. It was as an exile and amid the inhospitable sands of an arid desert that he first saw light. His father Humayun, though he had succeeded peacefully to the inheritance of Baber had after ten years of almost constant warfare, finally succumbed in 1540 to the superior strategy and influence of Shîr Khan Sûr and having been defeated in a decisive battle on the Ganges near Canooj had fled for his life to Lahore. Humayun however, was doomed to experience the truth of the apothegm that gratitude is but a sense of favours to come. It has but little respect for the past. A fugitive and helpless, all chance of recovering power seeming impossible he found himself everywhere an unwelcome guest. From Lahore he fled to Sînde thence after some fruitless attempts to possess himself of Bukkar and Sebwan to Jodhpore in Central India. Repulsed here, and fearing to be delivered up to the great antagonist of his family Shîr Shah, he attempted to make his way to Amerkôt a fort in the eastern desert of Sînde. The horrors that attended his march to that place can scarcely be exaggerated. 'Before he quitted the inhabited "country" says Elphinstone the villagers repelled all 'approaches to their water which was to them a precious "possession" and it was not without a conflict and bloodshed "that his followers were able to slake their thirst" " But in the desert itself they had to endure greater sufferings than these. Sometimes it was absolute want of water, sometimes it was the attack of enemies. Exhausted and debilitated, suffering the horrors of thirst in all their terrible reality one by one his followers succumbed. When at last he came in sight of Amerkôt but seven of his party remained alive. Even then he was haunted by the fear that the chief of that place who was a Brahmin, would refuse him admittance—a refusal, which, in his case, would have been equivalent to death in its worst form. The reply however, was happily favourable and he was saved.

Not many weeks after his arrival, Jeellal-ood-deen Mahomed Akbar was born. So straitened were his father's fortunes that, instead of the costly presents to his friends customary on the birth of an heir to the house of Timour he distributed amongst them his solitary possession, one pod of musk, accompanying the gift,

however, with the significant wish that like the odour of that perfume, so might his son's fame be diffused throughout the world.\*

It can well be imagined that the youth of one so highly bred, and born in circumstances so lowly, should be indeed stormy. The delights of ruling, once enjoyed, could never in those days be lightly given up and even Humayun, abandoned by all but by his Hindoo protector, still dreamed of the palaces of Delhi and the lost sceptre of Hindostan. The thirteen years that followed the birth of Akbar were thus years of incessant warfare. The young prince may truly be said to have been bred up in arms. He was scarcely three years old when he was exposed to a hostile fire under the walls of Cabul. Thrice before he had lived ten years, was he the prisoner of his uncles, bitterly hostile to his father and to himself. But freeing himself in 1551 after the final defeat of his uncle Kamran in that year he joined his father placed himself under his orders and finally accompanied him in that triumphant march which commencing at Cabul in January, 1555 and culminating in June with a great victory over Secunder Sûr at Sirhind terminated in the autumn in the capture of Delhi and the restoration of Humayun to his ancestral throne. A few months later Humayun died, and his newly recovered territory still bleeding from the contests for its possession, devolved upon his son Akbar then but a few months over thirteen years old.

When this event occurred Akbar was in the Punjab. He had been sent thither shortly after the defeat of Secunder Sûr at Sirhind—a battle in which he had so distinguished himself, and so greatly by his example animated his soldiers that, it is said, 'they had forgotten that they were mortal.' There had accompanied him nominally as his second in command, but really as his tutor and adviser, Behrâm Khan a Turcoman by birth distinguished for his talents and whose fidelity to the cause of the legitimate representative of the House of Timour had been proved upon many a battle field. On hearing of the death of Humayun Akbar at once assumed all the ensigns of royalty. He found, however, that he had entered at best upon a disputed inheritance. Almost simultaneously with his accession to the throne there came the news of the loss of Cabul and a great part of Affghanistan scarcely later the startling intelligence reached him that Hému, the Hindoo General of the last representative of the House of Sûr, had taken

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\* Elphinstone

Agra and Delhi, and was preparing to consummate his victories by a march into the Punjab. Behràm Khan, however, was equal to the occasion. Accompanied by the youthful Emperor, himself eager for the contest, he marched in the direction of Delhi encountered Hému at Paniput,—the second great battle of that name,—utterly defeated and took him prisoner. After the battle we meet with a striking trait in the character of the young prince. Behràm had doomed Hému to death and he wished that the prince should earn the title of ‘Champion of the Faith’ by striking the first blow at one whom he deemed an infidel. But Akbar refused to strike a wounded enemy. He was deaf alike to the persuasions as to the entreaties of his General. And it was with a grief which his tender age prevented him from showing more openly, that he beheld the irritated Behràm strike off the captive’s head with his own hand, exclaiming as he did so, ‘Ill timed compassion will lose you an empire.’

We must bestow but a cursory notice on the military achievements that followed, singling out those only for special notice, which serve to cast some ray of light on the character of our hero. The defeat of Hému had restored to Akbar the cities of Delhi and Agra and had left him leisure to turn his undivided attention to the troops of Secunder Sûr then threatening him in the Punjab. A campaign of eight months sufficed to quell this uprising, to deprive the insurgent leader of his strongest fortress, and to force him to retire to Bengal, to which the House of Sûr considered that they possessed a hereditary right. During this period however the virtual ruler was Behràm Khan. Akbar was still too young to take upon himself administrative functions, and he deemed it still prudent to submit himself to the counsels of one who was at least devoted to his dynasty and to his person. Nor can it be denied that the severe, stern, and resolute sway of the Turcoman nobleman was eminently adapted for troublous times. When, however, by the submission of the country a merciful and consolidating policy had become desirable, and the counsels and conduct of Behràm still ran on in a course of stern and vindictive cruelty when Behràm himself, ignoring the rising intellect of the young Prince, still continued to treat him as a dependent and a nonentity, the cry of the country to be rid of a policy of severity and sequestration found an involuntary echo in the inmost thoughts of its monarch. Akbar, however, was pre-eminently of a noble and generous disposition. Behràm had adhered to his father in all his calamities; he had bound



his fortunes to his own, when his green youth prevented the possibility of his making head alone against the storms that threatened him. Even at this time he did not doubt that the very faults which called forth the complaints of his nobles were the result of a too great zeal for his dynasty. Soon, however, he came to find that he would have to choose between his people and his minister. The persecution of private individuals, their banishment, often even their death at the instance, often by the sole orders of Behrām, caused a mistrust and discontent amongst the people, which even Akbar would soon have found it difficult to allay. Not even the most intimate friends of the king were safe against the minister's vengeance. Behrām in fact was virtually king, exercising his authority in a manner that tended to alienate the affection of the people from the rule of the Moguls. Once convinced of the dangerous tendencies of his minister's administration, Akbar felt that it was necessary for him to act promptly. He accordingly proceeded unexpectedly to Delhi and issued an edict announcing his resolution to govern henceforth by himself and enjoining on all the great officers of the empire to obey no orders but his own. Behrām, on his part, sensible of his helplessness in such a position, endeavoured first to mollify the king. But Akbar felt that it was better for him to be no longer connected with one who had so long enjoyed the sweets of power, and who had so misused its possession. He answered Behrām's submissiveness, therefore, by an exhortation to him to retire from power and to seek in a pilgrimage to Mecca, forgetfulness of the troubles and fatigues of a political career.

The sequel of this episode gives us another insight into that particular feature of Akbar's character which tended so much to his success. Behrām appeared to comply with the requisition, but proceeding towards the Punjab raised the standard of revolt. Akbar marched against him, totally defeated him, and pursued him with such vigour that he was forced to throw himself on the mercy of the Emperor. In those old days,—days in which stern retribution was considered to be the right, almost the duty of a conqueror—when bloodshedding amongst competitors for power was a normal state of affairs,—an ordinary man would have at once ridded himself of so valiant a rebel. He indeed, who should have sentenced him to simple death without torture or deprivation of sight, would have been considered merciful. But Akbar was no ordinary man. He abhorred the shedding of blood in itself, still more especially deliberate slaughter, and his heart was sensible to noble and generous impulses to a degree that is uncommon even in this civilized

nineteenth century He could not endure the idea even of wounding the *amour propre* or of lowering the pride of one, who, though he had slighted his orders and defied his authority, had once been his guardian and his friend Instead, therefore, of receiving Behrām as a conquered enemy, he met him as his old comrade,—as one whom he delighted to honour He sent his nobles to meet him seated him on his right hand and bestowed upon him a dress of honour Having proved his own ability and felt his power, he no longer even hesitated to offer him employment and honours Behrām, however wisely reverted to the idea of a pilgrimage to Mecca He was accordingly honourably conducted to Goozerat but when about to embark thence for Arabia, he was stabbed by an Affghan, whose father, years before had been killed by his orders.

With the removal of Behrām from office there began the real contest for empire rather than the reign of Akbar He was then scarcely eighteen years old but he had been raised in the best of schools—the school of adversity His personal appearance must have been very prepossessing He is described as strongly built and handsome delighting in the chase and manly exercises, but never so happy as when an occasion presented itself to indulge in acts of generosity and benevolence His manners were most fascinating and he always comported himself as a monarch. From prejudices, even from religious prejudices, he was absolutely free To his love of justice and the means he took to enforce it we shall refer further on

His task after the death of Behrām was no light one Even then he was little more than chief among his nobles Succeeding as he did to an empire won by force of arms there was then no check but the power of the strongest to the action of individual ambition The idea of services rendered of personal acts of valour the consciousness likewise of abilities,—all tended to hold out to a man in those days of despotism illimitable visions of power Akbar thus found that, even in the ranks of his own victorious army there were men who needed the lesson he had given to Behrām before they would be content to acknowledge him as the master whom they were bound to obey It took him seven years to read them this lesson—so in fact to found his authority that his simple *fiat* should be regarded as a decree that must be carried out Many were the contests with rebellious nobles and corrupt administrators within that period, but it was not less the clemency of the king after each victory than his energy, his valour and activity during the campaign, that tended to his ultimate success Magnanimity on the

part of a conqueror appeals with irresistible force to those instincts from which there are few natures so base as to be absolutely free. But at the age of twenty-five he was in reality master. Then it was that he determined to attempt the execution of the scheme that had been long maturing in his mind,—a scheme prompted by a noble ambition—the desire of consolidating the various kingdoms of Hindostan into one great empire, so governed by sound and equal laws that a contented people would always be ready to rise up as one man against a foreign invader. For such a task there has seldom been born one more qualified than Akbar. An instinctive sense of right added to a profound judgment, a liberality based upon the truest kind of charity, a consummate knowledge of character and a power of influencing others, combined with activity, courage, and great military ability to fit him for the work of conquering and consolidating an empire.

The first step was to establish his authority in the territories he had acquired. This we have seen he had accomplished. The second to conquer the ancient dominions of the crown,—to make them solid, compact and self-adhering. With this object in view he first turned his arms to the great country of the Rajpoots—Rajpootana—with the rulers of parts of which—notably with the Rajah of Jaipore,—who himself, his son and his grandson held commands in the imperial army—he was in alliance. Oodypore alone had the hardihood to resist his army. But though Chittore the then capital, was stormed, the Rana himself, and after his death his gallant son Rana Pertab, refused submission to, and alliance with, the Emperor. All the other states of Rajpootana however, recognised his authority. That once recognised attachment to his person and his dynasty always succeeded. The reason was that his enlightened principles followed in the track of his army. No sooner had opposition to his authority ceased, than the wise laws ensuring justice and toleration to all, healed the wounds which conquest had opened, and reconciled populations to his sway. He knew no respect of persons. The Hindoo had an equal chance with the Mahomedan for the great offices of State. The gorgeous temple stood side by side with the graceful mosque,—monuments of his toleration. Nay, to such an extent did he carry his wise liberality, that when, in pursuance of policy, he married two Rajpoot princesses, the daughters of the Rajas of Jaipore and Meywar, he built for their use, within the fort of Agra, an edifice in the style and architecture of the Hindoos, adorned with the emblems which they held sacred and suited for the performance of their worship. To avoid, however, giving

occasion of offence to his Mahomedan subjects, the building was designed so as in its exterior to have all the appearance of a mosque

The tone of the government of Akbar at this period and the manner in which it was regarded by the Hindoos themselves is best illustrated by a letter which one of the princes of Rajpootana addressed to his great grandson Aurung zebe, on the occasion of the imposition by the latter of a religious tax,—the *Jezia* or Poll tax on infidels which Akbar had abolished. Your royal ancestor Jeellad ood deen Akbar " wrote the Hindoo prince whose throne is now in heaven, ' conducted the affairs of this empire for fifty years with ' firmness and justice watching over the tranquility and happiness of all classes of his subjects whether they were followers ' of Jesus of Moses or of Mahomed whether they were Hindoos, ' or materialists or believers in accident or chance All enjoyed ' to the same degree his favour and protection and thence it is ' that the various populations under his rule in gratitude for his " paternal care have decreed to him the title of ' Benefactor of

Mankind When we reflect that this letter written by one of an opposite belief to that of Akbar was addressed many years after his demise to the bigoted greatgrandson in whose eyes it must have appeared the strongest condemnation of his ancestor we cannot refuse our belief in the genuine feeling which prompted it, or in the reality of the sentiments it ascribes to the great Emperor Can we too not glean from it this great lesson illustrated as it is by the careers of the tolerant great grandfather and his fanatical descendant—the last of whom imperilled and lost for his descendants by that unyielding fanaticism all that the first had gained for them by his liberality—that the twin sisters tolerance and charity are the true foundation on which alone can rest an edifice that is to endure ?

Most certainly in the case of Akbar this broad and liberal policy bore rich fruits The admission of Hindoos—strangers in race and alien in religion—to the command of his armies, to the government of his provinces concurrently with Mahomedans, acquired for his government the confidence of the entire Hindoo community To the Raja of Jaipore Man Singh Akbar was indebted for some of his most brilliant triumphs It was a Hindoo minister Todar Muli who introduced that financial system which bears his name Under his advice, Akbar lightened the burdens that weighed upon agriculture he abolished the capitation tax upon the Hindoos a tax upon meetings for the performance of religious ceremonies, and very

many other imposts that pressed more especially upon the poorer portion of the population. But the Emperor did more even than that. Finding that great hardship resulted to the agricultural interests, as well as loss to the revenue, from the absence of a fixed principle upon which to levy the land tax, he, after the most careful enquiry took the average of the rates of collection for the ten years between the fifteenth and twenty fourth year of his reign and fixed that as a permanent settlement for the ten years to come. On all his officers he enjoined strict integrity, justice, and consideration. His instructions to his collectors of revenue on whose judgment and discretion so much was depending, deserve to be recorded. The collector "must consider himself we extract from the Institutes of Akbar, a work compiled under the Emperor's direction by his able minister, Aboul Fazl 'the immediate friend of the husbandman, be diligent in business and a strict observer of truth, being the representative of the Chief Magistrate. He must transact his business in a place to which every one may find easy access, without requiring any go between \* \* \* \* His conduct must be such as to give no cause for complaint. He must assist the needy husbandman with loans of money, and receive payment at distant and convenient periods. When any village is cultivated to the highest degree of perfection by the skilful management of the head thereof there shall be bestowed upon him half a *biswak* out of every *beegah* of land or some other reward proportionate to his merit \* \* \* Let him learn the character of every husbandman, and be the immediate protector of that class of subjects \* \* \* \* Let him promote the cultivation of such articles as will produce general profit and utility, with a view to which, he may allow some remission from the general rate of collection \* \* \* In every instance he must endeavour to act to the satisfaction of the husbandman"—We might make more extracts to the same purport. Throughout his Institutes indeed, there breathes the same spirit—an emphatic love of justice a desire for the welfare, not of one particular class only of his subjects, but of the entire people, a determination to lighten as much as possible, the burden of taxation, to eliminate from it every element of, or excuse for, oppression, thus welding the people into one great family, to each member of which was accorded perfect liberty of conscience, entire freedom of action within the limits of the laws.

But Akbar's great scheme comprehended something much more than the enforcement of rigid justice, and the assurance of complete tolerance to his subjects. He encouraged literature,

the arts, and sciences. Every labour which depended upon intelligence met with his full and hearty support. He appears to have felt that the great and certain end of education was to free mankind from every sort of prejudice. His intimate friend Feizi, a Mahomedan, devoted himself to the study of Hindoo literature and science to an enquiry into every branch of the knowledge of the Brahmins. The same nobleman translated the four Gospels into Persian. Akbar received and honourably treated at his court Christian missionaries. A Christian priest, called Padre Farabatún was invited thither expressly to undertake the instruction in the Greek language of some Mahomedan youths. Schools of every sort were encouraged, devoted with admirable impartiality to Hindoo and Mahomedan literature and to these the youth of both religions were invited to receive "education according to their circumstances and particular views in life. The Court itself was a rendezvous for men famed for their accomplishments and literary knowledge.

It was impossible for Akbar however to devote during the first twenty years of his reign as much leisure as he could wish to the development of the arts and sciences. He had before him that task without which he believed his work—the great work of his lifetime—would be incomplete—the welding into one empire of all the peoples of Hindostan. Many of the earlier years of his reign therefore were spent in warfare. To enter into the details of this warfare is not necessary for our purpose; it will suffice if we give only the results. In 1573 he conquered Goozrat. Three years later he proceeded against the descendants of the Affghan family of Shir Shah Súr in Bengal. Here after a desperate contest he succeeded in establishing his government in 1577, but it was not till 1592 that he definitively annexed that rich province to the empire. In the interval he had crushed the rebellion of his brother Mirza Hakim in Cabul—extending as was his wont on its conclusion pardon to the revolted prince—and had succeeded in conquering Cashmire even then known as the Paradise of Hindostan. Soon after he was engaged in a terrible conflict with the inhabitants of the Eusafzie country who gave him more trouble than all his other opponents. In the course of the campaign his army met with some most severe checks, and several of his most valued officers were slain. Amongst them Rajáh Bir Bal so well known to posterity for his wit and conversational powers, whose loss was severely felt by the Emperor. In the end these daring mountaineers were humbled, though never absolutely subdued. From 1587 to 1592 he was engaged in establishing his authority in the basin of the Indus, in West Affghanistan and its immediate

dependencies. Finally he turned his arms against those kingdoms of the Dekkan, which had rejected his overtures and refused to submit to his authority. His lieutenants, however, were handled so severely in this campaign that the Emperor was compelled in 1599 to repair in person to the spot. the fall of Ahmednugger soon after his arrival and of Ascergurh some months later broke up all the plans of the enemy, and enabled the Emperor to return triumphantly to Agra in the spring of 1601.

Thus then was completed the outer shell of the Empire of Akbar. All Hindostan from Cashmere to beyond the Nerbudda from Assam to the Suleyman range obeyed his law. With the exception of the Dekkan his empire may be said to have been consolidated in 1592. This monarch whose justice, whose wisdom whose care for his people have passed into a proverb, had then the opportunity for which he had striven so long—the opportunity of so promoting the happiness of his people of so instructing his nobles of so clearly demonstrating to all the advantages of his system that the empire, founded on a basis so solid might endure to his latest posterity.

Undoubtedly he did accomplish great things. An admirable system of justice a contented population entire religious freedom an unstinted support of the arts and sciences, with a view to their being employed for the development of the country an universal system of education free and open to all irrespective of religion or creed—these were undoubtedly great blessings—blessings which the European nations of that day were free from enjoying. Compare Akbar with his European contemporaries. Compare the enlightened Mahomedan of Hindostan who shrank from blood and executions, with the sovereigns of our own England who lived during the same period. Compare him with the ferocious Henry the 8th, the selfish and ambitious regents Somerset and Northumberland with bloody Mary! Contrast the universal tolerance of Hindostan with the fires of Smithfield! Even Elizabeth herself would suffer by the comparison. The decapitation of Essex stands in no favourable light by the side of the pardon of Behrām, while the feeling which prompted the death of the Queen of Scots could never have arisen in the spirit of the man who condoned the rebellion of his brother. Look again at France, for fifty years of the same period under the despicable government of the most contemptible of men—the three last sovereigns of the House of Valois at Spain then the leading State of Europe, crushed and trampled upon by the brutal bigotry of Philip the 2nd. What a contrast do the two names present! Had the enlightened Akbar succeeded to the

throne of Charles V who can doubt that that great country would have taken a foremost place in all that nourishes the vitality and tends to the advancement of a nation that she would never have known the degraded position to which she has now fallen?

He must have been no ordinary man who thus, *virtually* making himself master of Hindostan—for he can scarcely be said to have inherited it,—so fashioned his own conduct so impressed his ideas upon those about him that he brought it to the pitch of excellence we have described—so greatly so far greatly in advance of his European contemporaries. In reading the account of the results of his administration and in perusing those Institutes inspired by his spirit and his genius it is impossible for us not to withhold our full and free consent to the opinion already referred to and to say Not India only but every ‘country in the world should be ruled on the principles of Akbar’

And yet we are forced to admit that the vast fabric which he raised beautiful in so many points possessing in itself such varied perfections wonderful if we regard it as we ought, as the work of a despotic sovereign three hundred years ago contained nevertheless within itself the certain germ of failure. We allude not to the vast extent of empire Adding immensely as this did especially in that rude age, to the difficulty of the ruler, it was yet not the fatal worm which gnawed at the very root of the mighty fabric. If we admit that the principles of Akbar were based on the soundest ideas of humanity and justice that he did indeed ensure the happiness of his subjects that he encouraged institutions which, if persisted in would have roused their better instincts we must still admit that there was one thing wanting and that the want was fatal as well to the excellence as to the success of the system. The fault was this—that he himself was the keystone of the arch which he had raised. Take away the keystone, and all the materials rich and valuable as they were lost at once their coherent power. The weak point of the system, in fact was this—that every thing centred in Akbar that though, so long as he survived to control and carry it out it succeeded admirably it was liable to succumb and fall with his demise. In a word it was not in the power of this Akbar to decree that he should be succeeded by a second Akbar—by a man equal to himself in liberality, in love of justice in the power of influencing his fellow men. Granting that his principles were the principles which the governing power in Hindostan ought always to follow, yet his system provided no security that they would be carried out by his successors. His subjects



in fact possessed no guarantee, no certainty of belief that on his death oppression would not take the place of justice, or that liberality and order would not be displaced by bigotry and misrule. It was as we have said, a system that centred and was bound up in, the life of Akbar

Some idea of this must have flitted occasionally before the mind of the great sovereign of Hindostan before he quitted the scene in which his own beneficence had reaped triumphs and victories so rare. The affection and partiality of a parent could not have entirely blinded his eyes to the vicious propensities of the son who was destined to be his successor, to whose care he would have to resign those numerous peoples, whose material interests he himself had watched so tenderly. More than once a rebel against the paternal authority, pardoned, as Akbar was wont to pardon all enemies, Selim had nevertheless continued to show such an absolute viciousness of temperament that even his friends could not contemplate his succession without dismay. When he ordered a man who had offended him to be flayed alive to the horror of his father Akbar might well ask himself whether such a man could fit in as the keystone of his arch, as the supporter and maintainer of his system. The result showed how fatal was the defect inherent in that system. Although under his immediate successors, Jehangire and Shah Jehan, the empire which he virtually founded maintained, in a great measure, its outward form of grandeur yet the government of his great-grandson, the bigoted Aurungzebe—himself in all his conceptions the very opposite of Akbar,—dealt it a blow from which it sickened and died. We might even go further with respect to its internal advancement. That indeed ceased with Akbar.

When therefore we are told that India ought to be ruled on the principles of Akbar we ought to beware of confounding the immortal principles which it was his glory to have initiated three hundred years ago with the system which, it seems, it was impossible for him to avoid. Though we may admire ever so much those principles we should take heed ere we called even for an Akbar,—with the system indispensable to an Akbar,—to put them into action. Under the circumstances of such a rule viewed even in its most favourable light, the country may indeed attain temporarily to a very high degree of prosperity, its material interests may be well cared for, the intellectual life of its people fostered and stimulated, but it is impossible that it can last. Sooner or later the inevitable hour will arrive when sensuality and tyranny take the place of government and just administration to such an extent, that the last state of the people

becomes even worse than the first. It was the system of which Akbar but an accident that led to those devastating wars which ravaged India for a hundred years—which impoverished her people, threw her back in the scale of civilization, until in the beginning of the nineteenth century she was far behind the nations whom she had immeasurably surpassed in the seventeenth.

Far be it from us to affirm that Akbar himself was responsible for such a result. It was his glory that in spite of the despotic system which was then inevitable he laid the foundations of his government so firmly that though they were often shaken, sometimes much loosened his dynasty continued to rest upon them for nearly an hundred and sixty years after his death\*. The system however is incompatible with human progress. It failed in Europe as much as it failed in Asia. It ruined the Stewarts of England and the Bourbons of France. In Hindostan it led by certain steps to the predominance of the strongest and the government of the sword.

Need we contrast such a government with that under which we are all living—a government which however it may fall off in some respects at least offers to the people the material advantages presented by that of Akbar whilst it is free from the death warrant of an ephemeral existence? Is not the certain conviction that such blessings as universal toleration an equal administration of justice perfect equality in the eye of the law, a discriminating taxation are not dependent upon the life of one man, but are fixed and settled institutions which governors cannot arbitrarily alter—is not such a conviction a real boon and a solid consolation even to those who would naturally prefer a native dynasty? We know that a very eminent European writer who travelling in the disguise of an Asiatic associated with Asiatics on terms of equality and who thus came to hear and to learn their real sentiments has lately told the world that the natives of India would prefer a bad native to the best European government. It is possible that this may be so. It is probable we think that among the ignorant and the bigoted, the superstitious and the unlettered some such idea may prevail. But it is impossible that it can have any *locus standi* amongst those who, availing themselves of the advantages which education has placed within their reach have studied the history of their country. These cannot but see that a system which requires an Akbar to be its prop cannot possibly have any permanent vitality. It is not every year that an Akbar comes into the world. It

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\* Elphinstone dates the extinction of the Mogul empire from the third battle of Panipat in 1761.

is but once in a thousand years that such a man is born on the footsteps of a throne. Can the advantage of being governed by such a prince, great as he was undoubtedly, be weighed in the balance against the two centuries of misgovernment that followed his demise?

It is not perhaps surprising that those who have had no personal experience of misgovernment and but little of oppression,—who have never suffered from the exactions of military licence or from the ruthless tyranny of court favourites, should point to the reign of Akbar as an indication of the sort of governor which Hindustan, if left to itself would produce. But it is impossible to base any sound argument on the administration of but one man out of many. We cannot sever the man from the system. That system gave India Akbar but it gave it also Aurungzebe and the successors of Aurungzebe. It is certain that the effect of the measures of Aurungzebe was to loosen the bonds of union which the wisdom and liberality of Akbar had knit together to form his empire. It is too a remarkable fact and one which we must never lose sight of tending as it does to show the retrograde and debasing effect of despotism on the human mind that the bigotry of Aurungzebe endeared him far more to his Mahomedan co religionists than did the liberality of Akbar and that even in the present day it is the memory of Aurungzebe the persecutor far more than that of Akbar the beneficent that Mahomedan writers delight to honour.

We admit indeed we glory in admitting that there was much, very much in the conduct and the sentiments of Akbar that is worthy of the earnest attention of the present rulers of Hindostan. Many of his precepts they have already literally followed. In this respect, indeed they may be regarded as his legitimate successors. Far more than any of the native sovereigns who came after him have they endeavoured to emulate his liberality, his toleration, his encouragement of education, his hatred of tyranny and oppression. In some respects they may not have acted up to the greatness of his mighty conceptions. An impartial observer, noting what he did and what they have attempted, could not fail to be struck with the fact that whereas Akbar was able within a very short period of his reign, to conciliate the complete confidence and regard of his Hindoo subjects, those feelings with respect to the English have been but of slow and tardy growth. Nor is this difference to be explained by the assertion that in the case of Akbar it was a native governing natives. Akbar in Hindostan was almost as much a foreigner as we are. "Of all the dynasties that had yet

"ruled in India," writes Elphinstone in his account of the reign of Akbar "that of Tamerlane was the weakest and most insecure in its foundations. The houses of Ghazni and Ghor depended on their native kingdom which was contiguous to their Indian conquest and the slave dynasties were supported by the continual influx of their countrymen but though Baber had been in some measure naturalised in Cabul yet the separation of that country under Camran had broken its connection with India and the rival of an Affghan dynasty turned the most warlike part of its inhabitants as well as of the Indian Mussulmans into enemies. *The only adherents of the house of Tamerlane were a body of adventurers* whose sole bond at union was their common advantage during success. How was it then that this foreigner with his body of adventurers to support him succeeded in that particular point in which we have so generally failed *vi* in conciliating the affection of the people? We believe that the reason simply was that he did not give all the offices in the State to that body of adventurers. He had on the contrary Hindoos to command his armies and to govern his provinces. He made as little distinction on account of nationality as of creed. Had a satrap misgoverned a province in his time as the Raja of Mysore misgoverned Mysore in our own Akbar would undoubtedly have displaced that Raja but he would have sent a Dinkur Rao to succeed him. It would thus have been impossible to misconstrue his motives or to accuse him of lust of territory or of tyranny. It is true that we profess to be animated by the same motives that we declare it to be our sole object to educate the natives of this country to self government it is a fact that by slow but gradual steps they are being admitted to the higher offices of the State. And we conscientiously believe however it may seem to some who may think our steps too slow too uncertain sometimes even retrograde that this is the real tendency of our Government. The result depends mainly if not entirely on the progress made by the people of Hindostan. We cannot doubt that one great reason which prompted Akbar to confer the high offices of State upon Hindoos was on account of the greater ability the stricter integrity that they displayed. But the world is advanced much now since the days of Akbar. The successors of the adventurers who followed Chive are better administrators than the adventurers who followed the son of Humayun. It is for the people of Hindostan to point the moral. Let them show themselves in all things capable let them cast aside those prejudices which weigh them down with the weight of ignorant

ages, let them show themselves as enlightened as the most enlightened monarch of Hindostan, and it is certain that they will then no longer have to complain that India is not, even in this respect, governed on the principles of Akbar

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## ART V—NATIVE GOVERNMENT IN NATIVE STATES

UNLIKE the Roman and the Mogul empires the continent of India when under its Hindu kings never enjoyed the blessing of one ruling authority as the master of the whole country and the director of the destinies of all Hindus as one people. Hence it is the Hindu scripture the Vedas the Dursanas the Upanishadas the Shmríti and the Puranas are differently read and interpreted and the numerous religious sects that have come into existence since the last two thousand years, viz the deists nationalists monotheists atheists, not to speak of such subdivisions as Shyvas Sháktas Gánapatyas Shouras and Vyshnavas have all been the great obstacle to the development of everything Hindu but the Sanskrita language which with the primitive Aryans inhabiting the different parts of India had been the universally spoken tongue though variously pronounced and accented by the people of the different provinces. The Syumbhaba or primitive Manu who is described as the author and dictator of the Hindu Laws, both social and religious must have lived at a time when there was only one king to govern a limited number of Hindus confined but to one province of the country. But as the Aryan family increased in numbers and spread over the distant parts of the continent of India they set up different kings to rule over them, and different legislators and commentators to frame laws and regulations best suited to the requirements of their respective countries. The same Hindu law of inheritance which provides for the son the heirship to his father's property in Northern and Central India would debar him from this natural right in the Dekkan, whilst it would entitle him to the inheritance of his maternal uncle's property after his demise to the disappointment of the son. In cases of marriage the anomaly of the law is the same if not greater, with a certain class of Brahmans in the Dekkan and in the hill territories of Kamoon and Gurhwal where it is lawful to remarry the widow of one's elder brother after the

decease of her husband but which practice would be at once condemned as un Hindu and irrational in the countries between the Ganges and the Nerbada. The original institutes of Manu are the same but the commentators Kulluka and others, have put different interpretations on the code used in different parts of the country in conformity, perhaps, to the customs then prevalent in the Hill States the Dekkan and Hindustan proper. The Kings of the different branches of the Solar and Lunar dynasties who parcelled out the territories of India amongst themselves and settled in distant parts of the country thus became independent in their respective dominions from the beginning and partly from the jealousy of their neighbours partly out of inclination arising from peculiar education mode of thought constitution climate and the external features of their countries partly from the influence of their courtiers and the current of public opinion then prevalent in their States each chief became anxious to hand down his name to posterity and to surpass his contemporaries by the support or introduction of some new system either in the administration of government the framing of laws the expounding of a philosophical doctrine or the introduction of a new religion into his own country. And thus the Aryan Hindus descended from one common stock speaking one language and professing one religion became constitutionally as distinct a people from each other as the several sects of Christians inhabiting the continent of Europe. The Hindu name once as mighty as the Greek or the Roman in comparatively later times and by many degrees superior to either in wealth and intelligence became gradually weak and divided in strength as the society grew older and thus commenced the undermining of the great fabrics of unity and nationality the sources of the power and strength of a nation.

The world's history and the history of the different nations that inhabit it must prove beyond a question that domestic discord either in the administration of a government or the profession of religion in every clime and country has proved fatal to the cause of a nation's independence or advancement. And India, the earliest advanced country in the world,—a country which had always led the van of civilization and intelligence in the Eastern Hemisphere—first became a prey to the domestic rivalry consequent upon divided authority. We may hear of imperial rulers as having swayed the sceptre from the Himalayas to the islands in the Indian Ocean but a Chandragupta and Vikramāditya had owing to the constitution of the Hindu society and the first principles of government then recognised in the country, suffered themselves to be represented in the remote

parts of their dominions by dependent but actual kings, while contenting themselves with the shadow of the empty name Samrāta or king of kings. The principles of Hindu government, as laid down in the Institutes of Manu do not require the direct and absolute rule over a people or a country but are satisfied with a general acknowledgment by neighbouring States of its superiority. When a conquered country was too extensive to be directly governed fresh aspirants to sovereign honours were recruited from the ministry or the army and, as rewards for special services either in the field or in the cabinet the newly conquered countries were often ceded to generals and ministers and dependents. There were thus parcelled out to the provinces of Hindustan as many kings as there are peoples and languages within her boundary. And what was the result of this early dismemberment of the Great Indian Empire? The question may be at once answered without pause or hesitation. The result was that it became a prey to the lust of conquest of foreign nations. When for instance, the Punjab was invaded by Alexander the Great and the position of Porus was jeopardised he received no aid or military support from his native allies against the Macedonian intruder though there were at that time powerful kings with mighty armies and full exchequers in the Doab and the Cis Sutlej States. What an eminent statesman wrote in the eighteenth century referring to the notion of an alliance among the Indian princes may well be applied to so ancient a period as the reign of Chandragupta. Warren Hastings in one of his despatches to the Court of Directors observes—'The scale of power is "evidently turned in our favour and this is of more importance than would well be imagined in Europe where the policy "of nations is regulated by principles the very reverse of those "which prevail in Asia. There in contests between nations "the weaker is held up by the support of its neighbours who "know how much their own safety depends on the preservation of "a proper balance. But in Asia the desire of partaking of the "spoils of a falling nation and the dread of incurring the resentment of the stronger party are the immediate motives of "policy and every State wishes to associate itself with that "power which has a decided superiority.'

The above weighty remarks penned by Warren Hastings on the occasion of an alliance between the late East India Company's Government and that of Berar, may well be applied to every stage of a Hindu society and government and every stage of the life of the individual Hindu from the ancient to the modern times. We find, for example, that the kings of



Pahbothrá or Pátáliputra, the then leading power in India instead of supporting such a patriot warrior as Porus, entered into an alliance with Alexander's general and welcomed a Grecian at their court as ambassador. The simple minded Hindu monarchs thus deceived themselves and their people by sowing with their own hands the poisonous seed which afterwards yielded bitter leaves and which though removed and rooted out for a time from the original spot germinated elsewhere with increased fecundity to the bitter repentance of the Hindu nation. The observations written by the Grecians at the court of Chun dragupta on the system of Hindu government the resources of the country its military defences its mode of warfare the prevalent religion of the country the manners and customs of the people &c were read with avidity by the learned Greeks and embodied in the historical and antiquarian works which on the decline of that nation came into the possession of the Arabs with other scientific and metaphysical treatises the fruits of the labour of ages. The Arabs made the best use of what the Greeks had collected with so much labour and skill. With them the idea of the conquest of India rose simultaneously with the taste for the cultivation of science and philosophy and the alluring account of the wealth of India conveyed to them by the Grecian antiquarians, constantly danced before the eyes of the first 'Caliph' called by the Mahometans Khulipha Wallid.

The Khulipha on his first attempt to extend his conquests over the regions of eastern Asia sent a detachment of his force from Persia to Sind under the command of Mohmud Cassim. With that invasion commenced the first intrusion of Islam over the soil of the Aryans—a soil watered by streams issuing from the sacred chain of mountains the abode of gods, demi gods heroes and saints—the objects of veneration with the Hindu, the field of description to his poets the object of his pride the cause of the singularity of India as contrasted with other regions of the world. The Hindu though learned thoughtful, and scientific had till then never known any nation but his own any language but his own nor any religion but what was expounded to him by the Brahman. He was simple honest unaffected, mild in his temper comely in his deportment, urbane in his manners. It is a tradition of the Hindu of those days that though a gallant soldier he was unacquainted with stratagems and artifices never fought for an unlawful cause and when once engaged in the field never retraced his steps, however overwhelming the force he might have to face, for to him it was salvation to die a hero or a martyr, to return home escaping death in the field

was both cowardice and sinful. The traditions of the ancient wars, as contained in the *Rámáyan* and *Mahábhárat*, were as sacred to him as the ten commandments are to a Christian and the exaggerated descriptions of those original and flowery poets about the destruction of the myriad millions of *Rákshasas* or demons by the blow of one arrow when directed with the aid of the deity of war caused the Hindu to look slightly upon the *Mlecha* barbarians who came into his country with a handful of soldiers to fight with the descendants of *Agni* and *Ráma*, the specially created and specially gifted beings of the *Devatas*. Hitherto the self contented Hindu had been ignorant of the mode of warfare of the followers of the Prophet. He had never heard that stratagems and artifices constituted the principal part of modern warfare that the stoppage of the supply of water the addition of fresh arms and reinforcements from outside the garrison had more effect than the waving of a thousand swords in the open field by the best trained swordsmen. He never imagined that with the Moslems victory was followed by plunder plunder by fire and rapine and the latter by wholesale slaughter and the dishonouring of women. He never thought that his temple would be converted into a mosque his dwelling house into a bariack and his places of public resort into slaughter houses. When the army of *Cassim* first encountered that of the Hindu *Rajá* of *Sind* it was shamefully defeated but reinforcements from *Persia* gave fresh vigour to the Arabs and roused their desponding and sunken spirits to another action which sealed the fate of the Hindus of *Sind* and dashed to the ground the pride of the *Rajput* soldiery. These seeing the imminent danger at hand of a disgraceful defeat and submission to the caprice of the foreigners first murdered their women and children and then, with naked swords in their hands opened the gate of the garrison and furiously rushed upon the enemy to meet with certain destruction. *Cassim Ali* thus victorious immediately took possession of the fort and palace planted his standard on the former, and took possession of everything he could find in the latter together with the two beautiful daughters of the king as trophies of the war. The latter were sent as present to the *Khulípha* as a token of respect to the 'Commander of the Faithful' but this valued present cost the general his life, and retribution came so soon and from such an unexpected quarter that Hindu historians have ascribed it to the vengeance of Heaven.

The partial conquest of India, thus commenced by the Arabs at so early a date as the eighth century was carried to its full extremity by *Mahmud Ghuzni*, who next appeared

in the field of warfare against the Hindus Human depravity never rose so high as it was with the Ghuznivites and human forbearance never stooped so low as it did among the Hindus of that time The Ghuznivite plundered his property and the Hindu patiently submitted to it, the Ghuznivite dragged him into slavery and the Hindu followed him like a lamb In the twelve inroads of Mahmud Ghuznivite into India he succeeded not only in plundering the country of its accumulated wealth and carrying away its people into slavery but caused likewise the utter subversion of the Hindu monarchies of Delhi and Kanouj With the Ghuznivite raids ended the very name of Hindu independence

The only Hindu principalities in Central India that escaped devastation by these Mahometan marauders were the States of Udyapur and Amber (modern Jaipur) respectively governed by Chohan and Kachwa Rajput princes the offshoots of the royal house of Ayodhya The former principality was founded by Rájá Kanaksen in A D 144 and the latter by Sura Rájá in A D 966 These two States together with the principality of Marwar founded in A D 1409 by Raja Jodh, a descendant of the Ruthore Rajput kings of Kanouj at present constitute the Rajputana States The other minor principalities viz Ulwá Bikaner Dungurpur, Sirohi Protugurh &c were either fiefs of the three principal States first named or at one time their dependencies They however gradually became independent during the long course of time when the parent States succumbed to the Mahometan or the Mahratta powers It is asserted by some that Sivájí the founder of the Mahratta monarchy and the Bhonslá family also sprang from the house of Udyapur The chaos and confusion which followed the depredations of Mahmud Ghuznivite had scarcely subsided into order before other Mahometan conquerors appeared in the country Amongst these Baber with his numerous Tartar followers reached Delhi conquered the city and usurped its throne Anxious then to extend his conquest over the Rajputana States and to bring to subjection its proud rulers who had hitherto escaped the inroads of Mahmud Ghuznivite Baber marched his army *via* Muthura, and at Futtehpur Sikree met Ráná Sanga the Rájá of Udyapur who had proceeded thither to oppose the progress of the Mahometans In a fierce action which ensued between the Rajput followers of the Ráná and the Tartars of Baber, the former were defeated and routed, and Ráná Sanga fled to Udyapur This action decided the superiority of the Mahometan soldiery over the Hindus, and brought the Rajputana

States in subjection to the court of Delhi. Thus India lost its last remnant of power. The House of Udyapur was the pride of the Hindu nation, the offshoot of the royal house of Ayodhya, of the proud line of kings of the Solar race, who dictated laws to the country, patronised education, science, and arts—a family which was hitherto considered sacred and unapproachable by any nation in the world.

On the death of Baber Humayun temporarily succeeded to power but he had neither the talents nor the means to assert his superiority over the Rajput States which had thrown off the yoke on his father's death. But there was to be born a man for the throne of Delhi who would bring all India into his subjection whose personal vigour skill in the military tactics talent and foresight would smooth everything that should attempt to stand as an obstacle in the way of his progress. This was Akbar who soon after his accession to power made an effort on the famous fort and town of Chittore, which he reduced though not with little difficulty. Thus demonstrating his power as a military leader and the sovereign ruler of India he first conceived the idea of the importance of a friendly alliance with the Rajput States, and with this view invited the princes of Udyapur Amber and Jodhpur to his court and gave them the joint offices and usual dignities of minister and general attaching thereto great outward distinction and respect. Akbar demanded of these princes services which at once reduced them from independent rulers to functionaries, and confined them constantly to the side of the Peacock throne. The tributes which he exacted from them were however somewhat disproportionate to their means and the military service they were required to perform for the empire drew off the best soldiers of Rajputana to harassing and tedious wars either in the inhospitable climate of Cabul or in the unknown countries of the Dekkan. The reign of Akbar was followed by that of Jehangir Shah Jehan and lastly of Aurangzebe in whose time the position of the Rajput princes grew worse. The notorious misgovernment of Aurangzebe his oppression of the people especially of the Hindus, caused by the imposition of the tax upon the infidels, known as the *Jezee* his interference with the religion of the soil his direct violation of the laws of sovereign and subjects, both in social and religious matters his disrespect and ill treatment of the Hindu allies at his court the constant wars in remote parts of his dominions and the internal feuds about the court of Delhi—all combined to diminish the awe and respect which the Hindu chiefs had hitherto entertained

for the person of the emperor. The forced conversion of Hindus to Mahometanism in Aurangzebe's reign had gone so far, that in cases of disputed inheritance between two or more brothers, the Futtowah of the law always supported, with the express sanction of the emperor, the party that embraced Islamism. Thus it was that hundreds of high caste and respectable Hindu families became converted Mahometans. Human weakness is more or less to be seen in every clime and country of the world among the ancients as well as the moderns, and it has been the ruling principle of almost every king and government to extend the State religion to the subject class when the same is of a different persuasion. But before pronouncing any opinion upon this system of religious bigotry or we might say, abuse of religion, it should be enquired into and examined why this idea generally prevails amongst sovereign princes. The common interpretation of the question would perhaps be, that a sovereign being the guardian of society both for secular and religious matters, and being held responsible for the spiritual welfare of the people committed to his care is bound if he is sincere in his religion, and zealous for the welfare of his subjects, to dictate that religion to the people which he himself is convinced to be true. But apart from this argument the question is susceptible of analysis in other ways. It should be closely examined and scrutinized in all its bearings not in the superficial light of a bigot or a religious enthusiast but in the light of a man as a rational being. The arguments which we generally meet with upon this subject and the opinions *pro* and *con* as they are recorded by some generally issue either from supporters of this system, or from men who condemn the practice as based upon a mistaken theory. Taking for granted that a king's anxiety for the future state of his subjects is paramount in his mind, we must expect from the self same philanthropic ruler a corresponding care for the subjects well-being in his present state of existence and where the latter falls short of the former, the deduction we draw is, that the motive, which is ascribed to philanthropy piety, and every thing that has a God import is only immediate, secular and political. The first impulse which guides the actions of an intelligent human sovereign in times of peace, is the consolidation of his power and government. To make these permanent he requires the agency of his own subjects, who, if they are of a different religious persuasion, would very seldom, if at all, heartily sympathise and co-operate with the ruling power, to obtain this end therefore the sovereign as a human being is

driven to seek the instrument of religion, thinking that a common faith insures common political action, and forgetting the simple axiom that unity of race and sympathy of a common aspiration have more association with country and nationality than religion alone. The distinction between the conquerer and the conquered cannot be removed by unity of religion. This social gulf always remains unbridged as far as human pride and human vanity are concerned and this pride and this vanity are coeval with human nature and a part of its calling. It has been said above that country and nationality have more association with unity of race and sympathy of a common aspiration than with religion, and to prove this assertion perhaps some illustration is needed. Take for instance a converted Mahometan say, of Hindu extraction to an assembly of genuine Mussulmans engaged in a conversation about the faithlessness and immorality of the Hindus their rough and uncourteous manners and their crafty and cunning habits. Or take another converted Mussulman of English parentage to the same assembly and turn the discourse upon the subject of the climate of England the mode of dress of the people of that country the want of a *zenáná* system among them, and condemn all these as bad and improper and then watch the emotions of the heart of these two converts. If they have a spark of nationality in them, they will to the utmost of their power, try to advocate the cause of their countrymen and their customs. Again it may be asked what nation or government has up to this time received the support and hearty co operation in times of need from the subject-class it had converted to its own religion. The case of the Persians will be a good illustration to this point. They were originally converted to Mahometanism by the Arabs and their country was taken possession of by the same nation. But when the subject-class grew sufficiently strong and powerful they dispossessed their rulers of the government of the country and assumed it themselves. Aurangzebe's flagrant violation of the law by making it the instrument for the conversion of the Hindus sowed the seed of that disunion and ill will among the whole Hindu population and tended more than any thing to bring about the fall of the Great Mogul Empire.

We propose now to inquire how the position of the independent native chiefs stood under the tyrannical government of Aurangzebe how the internal management of their respective States was conducted and how the prosperity and welfare of their subjects were consulted. The example set by the emperor of tyranny and misrule at the metropolis of the country produced a magnetic effect upon the minor governments of the native

princes, and the spread of this infection was unavoidable so far as the imperial demands and extortions were concerned. The native princes were required annually to supply the imperial army with mercenaries from their respective States, and compliance with this demand not only exhausted Rajputana of its best soldiers but gave occasion to the practice of tyranny upon the people, who unwilling to volunteer for military service opposed their chiefs in every possible way got up rebellions and conspiracies sometimes withheld the payment of their usual tribute and ignored the sovereign rights of their rulers. The chiefs in their turn had to repel force by force and to engage themselves constantly in small wars with their own subjects. A native chief in those days could hardly collect the land revenue of a small village without demonstration of military strength and to move his officers and functionaries in the districts in the harvest season was as dangerous as to move a caravan with precious commodities through the country. For this reason the nazims or revenue collectors were always provided with a certain number of military followers and guns and with ammunition. This practice obtains in native States up to the present day as a relic of an ancient institution though the necessity does not exist to the same proportion. The numerous forts and strongholds which attract the notice of a foreigner travelling in the Rajputana countries were originally built either as military posts to keep in order a certain number of villages around them or they were intended as office buildings and residences of the State functionaries. The judicial administration of a native State under the Mogul government was the same as it was throughout the empire. The chief being both supreme magistrate and civil judge and the nazims,—his deputies in the districts,—being invested with judicial powers to try minor cases often oppressed the people as much as did the Mahometan governors of their neighbouring Subas. The office of a minister then as at present was in many cases hereditary and was chiefly vested in Brahmans or in the nearest relations of the chiefs themselves. But a soldier of fortune now and then also aspired to this office of dignity and emolument and sometimes by favour of his chief he succeeded in obtaining it. The authority then exercised by ministers was like that of the late Zahir Singh over the ruler of Kotah, or of Jungh Bahádur over the nominal king of Nepal. The Hindu princes under the Mahometan government, after the example of the Mogul emperors had generally been men of weak mind, improperly trained, and insufficiently educated, though not perfectly illiterate, none

of them could claim more than average merit either as a man or as a ruler. The company these princes generally kept either in the precincts of the zenáná or in the outer apartments of their palaces was anything but compatible with their position as responsible heads of governments. The deficiency in education the consequent moral weakness and the addiction to vice and debauchery of their rulers all tended to extend the authority and influence of the ministers and it would have been unreasonable to expect that a shrewd Brahman or a covetous Rajput who held the office of minister would have corrected the vices of his chief instead rather of contributing to it. Every picture has its two sides and when it is looked through the dark one it presents an obscure and gloomy aspect. The ministers of native courts whether in times of yore or at the present day are almost always accused of being crafty cunning dishonest of seeking self aggrandisement and thereby ruining the States over which they hold authority but when the question is discussed and balanced in the scale of humanity what allowance may we ask, is ever made for the circumstances of their temptation their want of proper education (we mean according to the European mode of education) want of a knowledge of the system of administration as taught by European jurists and political economists the example set by their predecessors in office and not unfrequently their predecessors in family coupled with a sense of the insecurity of their position? Let a man of any country with any amount of education be placed in the position of the old dewans and ministers of the Hindu sovereigns and few we fear would come out of them with their integrity untarnished and their reputation unsullied. It is not only in the present day to conceive how fearful and dangerous it was for a minister's interests to interfere with the inclination or mode of life of a royal master when a breath or a whisper in support of a most admitted truth if it were against his cherished convictions would have paved the way of the minister to the gaol or to the executioner. Human frailty and human weakness have in many cases paid too dearly for indulgence and this system of the investiture of supreme authority in the hands of a single individual in the office of minister has not been unfrequently attended with danger to the sovereign and in some cases with the total deprivation of power. The examples of this in Indian history, are very numerous.

It has been stated that the native princes were in general inefficient rulers, and tools in the hands of their ministers and dependents but occasionally there sprung up a genius, such as the Mahárajá Jai Singh of Jaipur, who at once combined in



his own person the virtues of an enlightened ruler and a learned politician, a patron of letters, and a promoter of science and arts. This prince has handed down his name to posterity, and is even known to the learned of Europe for his inquiries and observations into the Arabic science of astronomy. The noble mind and the lofty aim of this Hindu prince are best illustrated in the plan and construction of the beautiful city of Jaipur,—a city which, of all others in Northern and Central India is the one built upon scientific principles. Rájá Jai Singh's love of letters induced him to invite pandits from Bengal, Cashmir, Benares, the Dekhan and other parts of India to his court, and to collect those ancient scientific and philosophical works which were almost lost to the country. The immense library he had thus collected, not only saved to the world the Sanskrita literary and scientific works but latterly they rendered in valuable assistance to the exertions of Sir William Jones and Mr Prinsep in their efforts for the collection of a complete library of Hindu works in the Asiatic Society's Museum at Calcutta. Many Sanskrita works of very ancient date on theological and metaphysical subjects which had become lost sight of for want of study and reproduction since the time of Sanher Achárjya or to speak properly since the decline of the Hindu monarchy of Konouj were found in Rájá Jai Singh's library. Nor did the Western sciences receive less attention from his liberal and inquiring mind. The mathematical science of the Arabs and their astronomy were then known in India and they had received a fitting place in Jai Singh's mind. The observatories constructed at Delhi and Jaipur by this prince at an immense cost and after much labour, have been admired by modern scientific men of Europe, and they are a triumph of labour for the investigation of scientific truth. The great dictionary or encyclopædia of the Sanskrita, Arabic, Persian, and Hindi languages, containing a vocabulary of miscellaneous subjects called the Jai Singh Kalpadruma, had also been compiled at his court. As a Kshatrya and an offshoot of the great Surjya-bansa Rájá Jai Singh was the only prince who had performed the Asha medha Yagya after the reign of the Pándavas—a Yagya for which the Hindu Shástras provide the highest merit, and which can be only undertaken by the mightiest of kings. As a soldier and a politician the Raja had always distinguished himself both in the field and in the cabinet of Delhi. His name is still cherished with esteem and veneration by the people of Malwa, to which province he was appointed viceroy by the emperor of Delhi. But such men as a Jai Singh and a Insawart

Singh (one of the Jodhpur princes who had many of the virtues of Jai Singh) were not common amongst the native rulers. It may be argued perhaps that the government under which there were born such men as Birbul Todermul, Mán Singh Abul Fazil Abul Fyozee and Jai Sing must have been paternal and enlightened. The question may be easily answered in the affirmative with reference to Akbar's reign, in which five out of the above named six personages flourished and the worst enemies of the Mogul government would even admit that monarch's reign to have been prosperous. But others with high sounding titles who sat on the Peacock throne after him, not even the apologists of the Mahometans, with a shadow of truth can support. Their system of administration gradually deteriorated till it came down to Aurangzebe.

The reign of Aurangzebe was followed by that of Mahomed Shah. A weak monarch surrounded by evil counsellors, whose immediate motive was self aggrandisement rather than the interests of the empire. Mahomed Shah early succumbed both to foreign and domestic enemies. The inroad of Nadir Shah into India the defeat of the emperor's army at Kurnál and his plunder of Delhi gave fresh stimulus to the Mahrattas who entered into a league with the princes of the Rajputana States for the complete overthrow of the Mahometan power. With this view the Peishwah asked the opinion and assistance of Raja Jai Singh in a diplomatic correspondence with that prince through the medium of an ambiguous verse of the Sri Bhagabata. The Rajput princes of Jaipur Jodhpur and Udaypur on the other hand tired at last of the intolerable misrule and tyranny of the Moguls entered into a confederacy amongst themselves to throw off the yoke of the House of Delhi. And thus commenced from all sides, aggressions upon the Mogul government already predisposed to decay. In the palmy days of the Moguls when Akbar was in the zenith of his power and when Aurangzebe quelling the insurrections in the Dekkan, had contemplated the conquest of China no politician or soldier had ever thought nay, even the Hindu feudatories had never dreamt, that the House of Timour would thus meet with sudden destruction and the Great Indian Empire be reduced to fragments. The display of power and the display of riches which had hitherto attended the court of Delhi, and the external pomp and grandeur that were always present with its monarchs as the necessary attendants of royalty, were something extraordinary and beyond human conception at the present day. The world's mightiest kings, Alexander

the Great the Roman emperors the Hindu monarchs of old and the modern sovereigns of Europe, were mere ciphers in comparison with the Mogul emperors of Delhi as far as royalty attended with absolute power and inestimable riches are concerned. But it must never be forgotten how much, with one brilliant exception that power was abused. The Great Mogul, who issued mandates from the Peacock throne of the Dewan khas, under the silver ceiling which when melted into coin gave three crores of hard cash to the conquering Nadir Shah,—whose person was adorned with the finest diamonds in the world—whose palaces were of marble and whose plates and drinking vessels of gold—whose camp equipage alone would have emptied the exchequer of other princes,—whose smile or frown could make or unmake a Raja or a Nawab—and whose mandate was obeyed from Hindokosh to Cape Cormorin—possessed, be it ever remembered—the gold and treasures only to squander them—the patronage only to misuse it—the power only to divert it from its proper object—the protection of the governed. Never were the interests of the millions of the indigenous populations of India taken into proper consideration. It seems as though it had been the decree of Heaven that there should be a total revolution of all this—that the scion of the House of Timour should be blinded and kept prisoner in the hands of the Mahrattas and the country parcelled out amongst a number of petty chiefs and foreign merchants. And, lastly, that one offshoot of the same House should rove a fugitive in the Central Asian desert and another receive a compassionate allowance of the munificent sum of twenty five rupees a month from the hands of a British Viceroy. Time works wonders. Human pride and human vanity should learn by this the lesson which does not require the philosopher to tell us that of all other fortunes the fortune of a king is as shifting and changing as the mercury in the thermometer.

The object of this article merely being the history of the Hindu States of Rajputana our readers will perhaps question the propriety of our touching on the subject of the decline of the Mogul empire but as the latter event is inseparable from the former we do not apologize for having devoted a short space to the subject.

The rise of the Mahratta power commenced with the decline of the Mogul empire and, when the Peshwah extended his conquest over the provinces of Central India his generals commenced depredations over Rajputana and levied tribute upon the three principal States of Udyapur, Jaipur, and Jodhpur. The anarchy and confusion which followed the Mahratta supremacy

over Rajputana the plundering exploits of the Pathan freebooter, Amir Khan and of the Pindaries, and the domestic war in the country itself involved these principalities in a state of chronic disorder for a certain time. The House of Udyapur, once the leading power in the country had by this time been reduced to such a state of insignificance as to be obliged to accept for its representative the subsistence allowance of rupees 1 000 a month from the ruler of Kota. The non interference policy which then prevailed in the Council Chamber of Calcutta under the Presidency of Lord Cornwallis and the existing treaty with Scindia prevented the British Government from entering into an alliance with the Rajputana States. But the exigencies which arose shortly afterwards most fortunately for the future good of these States and the renewal of the treaty with the Mahārājā of Gwalior in 1817, left to the Government the discretion to enter into a political alliance with the Rajputana States for the general suppression of the incursions of the Pindaries. Thus the States of Udyapur Jaipur, Jodhpur, Kota Bundi Jhalawar Pratabgurbh Bunswara, Dungurpur, Sirol, Kishungurbh Karowli Tonk Ulwar Bharatpur, and Dholpur were taken under its protection, and the political relation with the remote States of Bikanir and Jussulmir were improved. The stipulations in most of these treaties are, that the chiefs should not enter into disputes and wars with their neighbours, should rule over their territories according to the established usages and customs, abstain from political or diplomatic correspondence with other States; refer all international disputes to adjustment by the British Government and in the exigencies of the State supply military force according to their means. The conditions on the part of the British Government are that it should protect these States from domestic or foreign enemies even with military aid when such should be required that it should not interfere with the internal administration of their Governments, nor introduce British laws or courts into them leaving the chiefs the absolute rulers of their respective States. The stipulations contained in these treaties have been generally well fulfilled on both sides, and the administration of the native States gradually began to assume that sober and enlightened tone, in which we find many of them at this day.

The princes and chiefs of Rajputana thus disembarassed from their ruinous and degrading submission to the Mahometans, and thus entirely freed from the vexatious incursions and forced extortions of the Mahrattas and the Pindaries, had time and opportunity to devote their attention to the consolidation

and improvement of their respective States With the connection of the British Government with these States indeed, commenced the new era of the rule of our native princes

To give a history of the present system of administration of a native government and the mode of working of its different departments we think it necessary first of all to enter into the subject of the duties of the prince himself, who as absolute ruler of his State, occupies at once the place of both the highest functionary as well as that of the sovereign The principal duties, which occupy the time of a Hindu prince in the early part of the day, are the daily performance of religious rites and ceremonies commencing with the gift of a cow to a Brahman He then visits the different temples in and adjacent to the palace attends the place where the Vedas are recited by the Brahmans, and then engages in his morning worship Thus passes the time of a Hindu Rájá for upwards of three hours in the day and when he has finished, the physicians are called into his presence Amongst these the personal physician invariably comes with one or two kinds of medicines which he had been ordered to prepare the previous day the other physicians in their turn present draughts *shurbuts* and other preparations in common use in the season which are never used but sent to the medicine room for courtesy's sake there to dry or decompose in the phial in which they were brought The European doctor who is attached to every Political Agency is also invariably surgeon to the prince at whose capital he resides In this capacity the doctor is valued highly and is applied for when there is any purely surgical case As a physician he has no footing in India in native society except in the presidency towns where there are communities of English speaking natives and in a native court it cannot be reasonably expected that the doctor will find a royal patient to drink a fever mixture prepared by a Mahometan native doctor European medicine for internal use is so much detested by natives of rank that even in medico surgical cases the doctor who performs the operation of the knife is not allowed to give his pills to the patient and if he persists in doing so at any time his medicine finds a place in the general medicine room side by side with the draught of the hakeem

In the midst of this when the prince is engaged in receiving and consulting his physicians it is not uncommon that a Chela or a Khawas comes in with folded hands, and informs him that the minister is waiting at the door for permission to enter When the order issues for his admission he makes his appearance before his master, is made to sit with the physicians, and to join in their conversation till the signal from a personal attendant of

the prince informs him, that the latter is ready to hear what he wishes to represent to him. But it being the rule with native governments, and perhaps with all governments presided over by one absolute ruler, that at the time of the transaction of State business all outsiders should depart, the physicians, who have hitherto taken the lead in the conversation before the prince are unceremoniously signalled to make their exit. The prince and the minister now being alone the business (whatever it is) is transacted as quietly as a domestic matter between a yielding husband and a prudent housewife. The business done the minister makes his exit, and the time comes for an audience with the court pandits and astrologers, who one by one make their entry with Sanskrita verses and complets of their own composition in their hands and occasionally with copies of Purans and Upanishadhas.

No sooner are these erudite but uncourtly persons seated, than each of them eager to display his own learning and genius struggles to take the lead in the conversation and to convince his royal auditor that pandit A has better knowledge of Nyáa than pandit Z or that astrologer B's calculation of the last solar eclipse was correct while astrologer X's was wrong. And it is not uncommon among these honest but ambitious persons that they are easily enraged when their opinions are contradicted in any nice question of Hindu jurisprudence or philosophy. To support their own arguments they would talk for hours together with a tone and vehemence only next to quarrelling. These pandits being Brahmans, have a kind of licence of speech before Hindu princes which is not enjoyed even by ministers and members of royal families. The pandits being dismissed, the breakfast is called in and with it the man whose business it is to taste all things before the prince sits down to his meal. This custom of having all eatables and drinkables tasted beforehand is immemorial in India, and is a caution against poisoning which is not of rare occurrence in native States. With the breakfast ends the business of the morning and then comes the time for a short rest. In the afternoon, between three and four o'clock, when the prince rises from his coach, the time is generally devoted to sundry small matters, such as the taking of medicines giving orders about horses, elephants, and carriages. Should any foreign merchant happen to arrive with curious articles for sale, such as jewels, valuable diamonds horses or elephants, he is admitted into the presence of the prince at this time of the day, and his articles are examined and in many cases purchased also. Then comes the time for evening prayer and

the visiting of the temples, which is generally accomplished within an hour after nightfall

The greater part of the State business is transacted during the night. At this time all the ministers and principal officers make their entry into the palace one by one, and are allotted seats in a separate building, but no sooner does the prince make his appearance in the private hall of audience than the ministers are called in at once and are made to sit near his person according to their respective rank, the prime minister occupying the first seat among the State dignitaries. Then the judges are called in the revenue officers the foydar the commanding officers of regiments the vakeels of different departments the officer having charge of the intelligence department, the officer in charge of the treasury, the officers of the public works department, and many others too numerous to detail who in their respective turn solicit orders for the business of their several departments, and that having been given, they one by one make their exit. If any foreigner happens to come for an interview with the prince either with the object of opening a commercial agency at his capital taking land in lease or requesting employment in the State he is introduced to him at this time of the night and receives attention to his request or not according to the nature of the question advanced. When the business with the outsiders has been transacted then commences the private counsel with the ministers on important financial and administrative matters, which generally takes an hour, but in special cases occupies much time and even lasts till a late hour in the night. The conferring of *Khiluts* which is customary in native courts on the occasion of conferring appointments, is also done at this time. All business having thus been transacted the musicians and dancing women are called in, who divert the company for a short while. The ministers then take their leave, and the prince goes to supper. After supper the *Kissawalla* or the narrator of tales is brought in, and made to sit outside the *purda* of the bed chamber, and the prince lying on his sofa hears the idle talk of this man, who, as is wont with his class, is often blind, eloquent of speech witty, humorous, and having in his memory the tales of the "Arabian Nights" and similar stories from the *Gulbakawli*, *Bahar danish*, and *Budramoonir*.

The above is a short account of the daily duties of a Hindu prince, but we should not omit here the mention of some others which, though not of daily occurrence are nevertheless constant such as meeting the Political Resident at his court, which generally takes place once or twice a week, and

sometimes oftener, and the review of troops of all arms and descriptions. The meeting with the Political Agent is strictly private, and in it the ministers have no share. In this the British representative gives his advice and opinion to the prince on administrative matters.

Next to the prince and over the head of all, is the office of the prime minister. This officer, as a rule is a high caste Brahman or Kshettrya, born of a wealthy and influential family, and invariably a relation of a high functionary, and a landholder. He must combine the virtues of a politician, a diplomatist, and a financier and must be possessed of an amount of aptitude and penetration equal to his calling. He must be popular religious and liberal must respect all ancient customs and institutions whether of the State or of the people. He is required to be of mild temper and sober habits, accessible to all, and patient in everything. An outward show and pomp in his house, carriage, and retinue are also among the principal requirements of the prime minister of a native court. In Hindustani his designation of office is *Moosahib* which means constant attendant of his sovereign. It is not easy to find a man with all the above qualities in every prime minister but more or less these functionaries combine in them some of the virtues stated above. As an instance of liberality it has been said of the late Rawal Shew Singh prime minister of Jaipur, that he gave a reward of Rs 100 to a man for dyeing a *pugri* to his liking and which was really the labour of four annas. His dhobi, his tailor and other menial servants were all provided with horses and bāhlis for their conveyance, and had grants of land yielding a good annual income.

The functions of a prime minister of a native court are manifold. Though there is a separate financier in every State under the designation of Dewan the former is always held responsible for the proper arrangement of the finances. He has the chief control over the judicial and the revenue departments of the State and is always appealed to when the decisions of the lower courts are not satisfactory to the suitors. In political correspondence with the British Government or its local representatives the prime minister is in some cases the author, and in others the dictator of all such despatches. In the usual amicable correspondence, which is also kept up with the friends and relations of his prince, the prime minister is often the medium, and sometimes the dictator of these epistolary correspondences. When he is an old and faithful servant, he is invariably the referee in all disputes and differences between the prince and his wives, and between the latter alone. In former times the prime



minister had always the chief command of the army invested in him but the modern usage is that any military arrangement made by the commander in chief (who is called the *Bukshee Fouj* or *Moosahib Fouj*) shall not be final until it receive the sanction of the prince through the office and under the seal and signature of the prime minister who is thus virtually the controller of the deeds and actions of the head of the army, though the actual command is taken away from his hand. The judges, the magistrates the revenue collectors, the officers of the customs department of the educational department of public works department &c are all under the immediate orders of the prime minister who with his coadjutor, the *Dewan*, exercises supervision over all the departments of the State.

Next to the office of the prime minister is that of the *Dewan*, or minister of finances, whose duty it is to make the annual settlement of land revenue, give villages in lease and through the *Nazims* advance money to the cultivators as *tuccavi* for the purchase of bullocks and the digging of wells. The arrangement of the customs revenue of the salt revenue the *sayer* the ferry collection, the taxes upon quarries and mines the collections from the mint &c are under the disposal of the *Dewan* who is also appealed to from the decisions of the *Nazims* in revenue cases. The duties of this functionary are as onerous and responsible as those of the prime minister and his office is by no means less important than that of the latter.

The judicial department of a native government although a model of our law courts is still an anomaly. There being no proper system for judicial training the judges are recruited from the different departments of the public service, without discrimination as to their previous training or employment. The judicial department of a native State as the exponent of the system of Hindu administration, must of course, be expected to be officered by men who have studied the Hindu law and jurisprudence but in this instance the quasi legitimate claim of the *pandits* is often ignored and the service is opened to men of all shades of life from clerks to military and revenue officers, and sometimes to private individuals having no other claims to the office of a judge than that they are *jagirdars*, respectable bankers, or favourite physicians of the prince. It must also be borne in mind at the same time, that the law courts of a native State still go under the disguise of an institution the guiding principles of which are the *Institutes of Manu* and the works of other Hindu legislators, while the officers who preside over them are as

innocent of Mitakshara or Yagyabalka as they are ignorant of the simplest acts of the Legislative Council of Calcutta. It has been a moot question for a long time with the British Government, whether it has any authority to interfere with the judicial administration of a native government when such administration falls short of the requirements of the present time. The philanthropic public who take an interest in the welfare of the natives of India do now and then ventilate this subject in the newspapers and periodicals of the day, but the treaty obligations cannot be ignored for the sake of justice which being a political question is as a matter of course, more important than its subordinate—the judicial. But the fact of a deficiency in the latter branch of the administration may it is apprehended prove injurious to the body politic and destroy that political balance which our statesmen so studiously try to preserve. It may be argued in support of the neutral policy of our Government, that a certain stipulation in each treaty with the native princes and chiefs has created a barrier to the march of the catholic laws of the British legislators beyond the frontiers of our districts. We do not mean to advocate here the extension of the British laws to the territories of the feudatory princes to the disparagement of the solemn promises as contained in large sheets of parchment bearing the seals of such illustrious personages as Lords Lake and Cornwallis. We contend rather for the adoption of a middle course between the two extremes *viz* the letting alone of the judicial administration of a native government or forcibly introducing the English laws. The middle course we propose would be a slight pressure from the paramount power towards the organization of a purely judicial service with training in the Hindu and Mahometan laws. The Brahmans learned in Shmruti who acquit themselves well in public examination might be selected for judges in Hindu States, whilst Mussulman Moulvis equally tested in Mahometan laws, might be appointed to similar posts in Mahometan States. Now the question arises whether the British Government is at liberty under the existing treaties to exercise such a pressure upon its allies however whole some and disinterested it may be. Any reader of the Political History of India or of the International Laws of Great Britain will answer the question in the negative, and no doubt *prima facie* the proposition would look like an intrusion rather than a friendly suggestion on the part of the paramount power. But every rule has its exception, and the traditional custom of India proves it to be properly susceptible, beyond the least shadow of a doubt, to such external pressure from the sovereign power,

which protects the minor governments, and is their guardian and acknowledged superior by treaty rights. Moreover, when we see a slight laxity and deviation from the original policy (although with the consent of the feudatories) in the matter of the suppression of Satty Thuggy, and Dacoity, and the general administration of the criminal justice of a native State, the unusual scrupulousness in the case of the civil justice is hardly compatible with the British name and its enlightened Government. The Hindu and Mahometan laws both civil and criminal in their original crude state cannot be said to be so liberal as the present laws of the European countries but their administration by trained lawyers with the aid of commentaries precedents and decisions of ancient Hindu and Mahometan judges, would be preferable to the hodgepodge of all laws or no laws at all.

The criminal law of the Hindus, excepting that portion which provides mutilation and other punishments of torture for heinous crimes may be well applied to Hindu States in supersession of the Mahometan laws that now obtain in them whilst in the civil branch the laws of inheritance of evidence, of mortgage, of conveyance of rights and properties, the relation between master and servant between husband and wife, and between sovereign and subjects are as liberal as those of any legislature of the modern times and may all be well applied to the present stage of society under a native government. We all now try to see how these tribunals stand practically as courts of justice. Apart from their merit as law courts, and the mistake to be found in the theory of their existence, they are in general good Panchaets or arbitrary tribunals, presided over by two or more judges whose business it is to decide every case according to the established usages and customs, and in points of dispute where the legal question preponderates over usage, the court pandits are applied to for *Vebeastha*, and they in a body give their opinions quoting the passages of the *Shāstras* applicable to the case. The suitors and their agents (the latter though not lawyers, yet go by the name of *vakeels* in *Raj putana*), and sometimes their relatives and dependents, are allowed the right of pleading in support of their claims, and are carefully heard and contradicted after the fashion of trained judges and lawyers of our courts. In some States where the expense of the judicial tribunal has lately increased with the increase in the number of judges the law stamp has been introduced as a means of defraying the expenses of this branch of the public service and to reduce the number of unnecessary suits that annually accumulate on the file.

The criminal justice of a native State is dispensed by a Foujdar and his deputies. The office of the Foujdar is a reserve for Thakurs of influential and respectable families and when in special cases this post of dignity and emolument is given to an outsider his family and social position are looked to more than his merit as a judicial officer. Although the position of a Foujdar of a native State corresponds with that of our district magistrates the former enjoys more authority as a judicial officer, inasmuch as he is invested both with the powers of a magistrate and a sessions judge. There being no demarcation observed between a committing officer and the officer invested with the powers of the session the same Foujdar who tries minor cases would also try cases of capital offence, and pass sentence upon them and his sentence can be confirmed or reversed only by the court of ministers under the presidency of the prince for whose approval sentences on capital offences are forwarded. Appeal also lies from the decision of the Foujdar to the ministerial court and to the ruler of a State himself the chief civil court having no control or jurisdiction over the foujdaree court. The law and procedure which guide the business of this court have from a long time been Mahometan. The Hindu criminal law as contained in the Institutes of Manu has been superseded by Mahometan laws perhaps ever since the Mahometan conquest of India but before these States came in contact with the British Indian Government certain of the old Hindu customs used to be observed those especially which awarded light punishment to Brahmans convicted of murder or culpable homicide. According to Manu a Brahman convicted of manslaughter should be punished with the shaving of his head deprivation of his property and the turning him out from his land of residence, but he should not be put to death. In cases of adultery among females the same law provides a system of punishment which would be regarded as too severe at the present time. It is therein enacted that a woman convicted of adultery should be shaved of her head, deprived of her nose and being mounted on a donkey turned out of the community where she lived. These anomalous proceedings could not be preserved and tolerated under a Christian Government, holding the supreme sway of the country and hence the British Government was obliged to recommend the discontinuance of these and other similar practices in native States. The result has been that the criminal courts in the Rajputana States being divested of some of their Hindu procedures without accepting in their place the penal laws of the British Government, have become purely Mahometan

courts, in many places, too, presided over by Mahometan magistrates.

The management of the police, being a concomitant of the office of Foujdar, the same functionary controls this department also. The police of Rajputana, though not organized on the principle of our new detective and protective police is still useful and efficient under proper management and in some respects excels the constabulary of the British territories. In tracing thieves the Mina police man has a peculiar aptitude or almost instinct, which is not approached by the Hindustani and the Punjabi police with all their improved system of drill and training. Mr Mountstuart Elphinstone Sir John Malcolm and Colonel Tod have one and all deservedly commended the system of tracing thieves by the Minas who, as a class of police men, if adequately paid and properly managed would excel all others of this branch of the service. The Mina will trace a thief when he proceeds to his work *con amore* through rock sand or water and under the greatest disadvantages of rain and wind. Once show him the spot where a burglary highway robbery or cattle lifting has taken place and he will trace the perpetrator of the deed by his footprints to a distance of one hundred miles and sometimes more. Nor is the Mina less useful in other respects as a watchman a single individual of his caste when appointed to a village will not suffer theft or robbery to be committed within his boundary. But when not in the service of any Government or State the same Mina is the worst thief and obstinate cattle lifter. In the principalities of Jaipur and Ulwar the Minas are hereditary watchmen, guards of forts arsenals, and treasuries, and they keep their trust very faithfully.

The general management of police of a native State is on the whole satisfactory. Considering the geographical position of Rajputana, the nature of its soil, the frequent hills and deserts which abound in the country the dearness of provisions at all seasons of the year the scarcity of employment for the labouring class, the low rate of wages paid to them and the hereditary band of robbers and freebooters who inhabit these provinces, the comparatively few cases of theft and robbery which annually take place in these States are creditable to the management of the police. In walled cities and towns throughout Rajputana, cases of house breaking and gang robberies are of rare occurrence and if at any time such are committed the robbers very seldom escape detection. Highway robbery on caravans and pilgrims the lifting of pack cattle of the Banjaras and camels of foreign merchants, are among the

daring forms of robbery, to which the traveller, when going from place to place inadequately guarded, is occasionally subjected. The principal cause of the occurrence of highway robbery is the want of good roads. In the Jaipur and Bharatpur territories there are metalled roads but in Marwar and Mayer, in the sandy deserts and in steep ascending passes, under the scorching sun of a June day the cart driver becomes confounded and bewildered he is tired and fatigued hungry and thirsty perspiring like a stage horse on duty his bullocks unyoked his wheels broken and his cart sunk a foot under the sand, he cries out for assistance and with what assistance does he meet? He sees before him twenty or thirty Minas or Mewatees running to his rescue with spears and matchlocks in their hands. They arrive near him unload his cart of every thing it contained, and drive off the weary bullocks quietly towards a neighbouring jungle. These Mewatees here commit a daring robbery but what marauders would resist the temptation under such advantageous circumstances? Who would refuse a dozen bales of cloth *pushmina* or silk in a manner thrown at his feet? Even a bunna would oscillate for a moment whether to give shelter to the man or to plunder his property.

The revenue administration of a native State is something peculiar to itself and is an institution which has few parallels in modern times. The greater portion of land in each State being alienated in jagirs and religious grants, the revenue derived from the *khalsa*, or that portion of land which is under the direct assessment of the State is the property of government and meets all its expenditure. The jagirs are of several kinds amongst which that given for military service is the principal, and is one not resumable by the State as long as the service originally agreed upon is faithfully performed. When the Rajputana principalities were first founded, and the country taken possession of from the Minas, Bhils, and other aboriginal peoples who occupied it, the conquest was, as tradition goes effected by military adventurers of the Rajput tribe, with leaders at their head from amongst the scions of the ruling families of Ayodhya and Konouj. A land thus conquered by the aid of military chiefs and soldiers of their own blood and kin admitted a permanent right to the occupation of its soil on certain conditions from the beginning supported by the laws and customs of the country. As a consequence of the necessity for constant military aid from them for the preservation of the conquered land, the feudal lords received their grants of villages in jagir in consideration of the duties which they engaged to perform on an emergency,

and the number of horses they supplied for the constant service of the State. Another kind of jagir was the grant made formerly as provision in land for the support and maintenance of the junior members of a royal family who have no claim to the throne (which is always secured for the eldest son), but who being born of royal blood had to be provided with means suitable to keep up their dignity and position. This latter jagir is also granted on the same principle as the former, and held on the same conditions as those of the feudal lords—the supply of effective cavalry horses and sowars for constant duty being compulsory and a main condition of the grant. On the demise of these jagirdars leaving natural heirs of their own body, the son succeeds to the estate of his father and his titles and honours with the sanction of his government but in the event of a failure of direct heirs and when the landholder dies intestate the adoption of an heir cannot be made without consulting the native government, and without procuring its sanction to that effect previously. In a few and isolated cases the adoption is made without the knowledge and consent of the Durbar but it is not recognized nor are the honours and titles allowed, so long as the sanction of the Durbar has been not procured.

It has been asserted by some eminent writers on Indian questions, that the feudal system is the source of strength of a native government and the cause of the happiness and prosperity of its subjects. The question when politically viewed apart from its merit of economy has an aspect of sound policy and far seeing political motive which prompted its originators to establish this system. The theory is based upon a sound principle, although in practice by the gradual deterioration of the native governments and with them of the Rajput aristocracy the system has been the source of occasional domestic feuds and differences. But the constitution of a Hindu government and its want of means to support an adequate military force are defects well compensated for by the feudal system which in the emergency of the State is more useful than a large army on regular pay. Under its operation indeed the commonest soldier feels the same concern for the stability of the State as the feudal lord and the chief himself for all of them are bound together by in the tie of a common interest in land, which being hereditary is valued more than money.

The other kind of jagir is the assignment of land made for State service. Under this head are included the jagirs of the highest functionaries, as well as of the commonest putwary of a village. These jagirs are often hereditary but sometimes for

life only, and they are resumable by the State at any time. The fourth kind of grant is that made for religious, educational and charitable purposes. These do not lapse to the State on any account, but constitute a sort of endowment and in this way has been alienated the greater portion of the land of a Hindu State. In the event of mismanagement of these endowments, the lands are temporarily resumed and officers appointed to superintend and bring their revenues into a proper state, keeping the accounts quite separate from the State financial accounts. The main source of revenue of a native State as has been before mentioned is the government share upon the produce of the khalsa land. The ryot of Rajputana who is a tenant at will and not a permanent tenant like his brethren of Bengal cultivates his land under a lease from the neighbouring nazim or revenue collector. He is also sometimes a subordinate tenant to a zemindar who takes in contract a purgunnah or a certain number of villages for a certain period, generally not exceeding three years. The ryot although a tenant at will acquires a right to the soil when it has been cultivated by him and his ancestors for a long period and is not liable to ejection so long as he continues the same cultivation under the terms granted in his lease. The assessment of taxes upon the cultivator is generally made twice a year in the seasons of the two crops of Rubbee and Rhoriff and according to the value of the produce. The Nazim sends out Ameens to the villages under his jurisdiction to estimate the crop of each cultivator when it is ripe in the field and after this has been made upon every acre of the cultivated land the share of the State is demanded. If the ryot is affluent he pays it in money; if not in produce which is sold by the officers under the Nazim and the amount remitted to the local treasury. The system of payment in kind is not a favourite system with the cultivator nor is it profitable to the Nazim who being responsible for the disposal of the grain and the realization of its price tries to avoid this mode of payment, but the circumstances of the ryot sometimes compel the revenue officers to accept it.

The army of a native State is composed of the three principal arms of artillery, cavalry and infantry and is generally officered by Mahometan and Rajput officers under the general command of a Commander in chief who is designated Bukshi of the Fouj. The artillery is recruited from the Mahometan population of the State, and the infantry from both Hindu and Mahometans while the cavalry branch of the army is mostly filled by Rajput horsemen, partly supplied by the jagirdars and partly consisting of men engaged on regular pay. Besides the above three arms of



the modern system of warfare, there are irregular foot soldiers in some States who carry with them sword, shield, and knife, and occasionally bow and arrows, and go by the name of Nagas. These forces are drilled and equipped, though inadequately, yet after the European fashion and are constantly reviewed by the Commander in chief, and occasionally by the prince himself. As to the efficiency of the army of a native State for active military service the question can be better decided by professional men but to ourselves as superficial thinkers on the subject, it seems plain that the force maintained by a native prince is a match for the turbulent people he has to govern though regarding it in the European sense of the term, it is essentially deficient.

The expenditure under the head of public works of a Hindu government is a large item which the financiers have to meet from the State revenue. The lump sum which is annually debited against this department of the State, is not expended on reproductive public works but on such works as the construction of a Dharmashala, the sinking of wells in the vicinity of large towns and the building of Birsaths in public bathing places on the Ganges and the Jamuna. The excavation of tanks, the construction of reservoirs, of roads and of passes and the erection of pillars and columns in the sacred shrines of Badrinarain, Kedarnath, Jwalamukhi, Kashi, Gya, Muthura, and Brindaban are the favourite works of public utility with the native princes while roads and canals in their own territories do not meet with the attention they deserve. It is a long established custom in India to construct public works in sacred places for the benefit of the pilgrims and these have no doubt their merit from the Hindu point of view, when the question is reflected purely in the light of their religion. But it may be questioned whether the ruler of a State, as the guardian and responsible agent for the comfort and happiness of his subjects, ought to be allowed to fritter away the public revenue on philanthropic or religious works, the merit of which according to his own religious teaching accrues but to himself. In the social point of view, the subject has an equal share in the State revenue with the ruler himself and after all the items of the State expenditure are paid the balance ought to be appropriated to measures which would promote his comfort and well being. This can only be secured by promoting his social and intellectual advancement, by establishing educational institutions, and giving free and liberal instruction to the unlettered — by constructing good roads for the lame, the blind, the infirm traveller, for the poor man who carries a load on his head, for the distressed

widow who carries half a dozen children with her, and for the wretched cart-driver who drives a pair of famished bullocks wearied and fatigued by the constant strain to overcome the obstruction of rock and sand, of depressions and prominences of the road, which hinder the progress of his vehicle. Regarded financially, roads bridges and canals are the pioneers of trade and commerce, and consequently the forerunners of wealth and civilization.

The department of public instruction under a native government is another subject which is worthy of notice here. It is a notorious fact that Hindu rulers are invariably supporters of education and are often unusually attached to men of learning and genius who reside at their courts. An astronomer, a logician or a bard meets with that reception from a Hindu prince which in other countries would be awarded to ministers and plenipotentiaries. The Peishwas of Puna and the Rajas of Jaipur, Jodhpur and Udyapur ever took a delight in the influx of learned Brahmans who formerly used to crowd to their courts from the different parts of India and the extensive grants in land, which have been assigned to some pandits for their provision, prove beyond a doubt that the Hindu princes truly appreciated the merits of education. It used to be a custom in Rajputana that a Brahman when he finished his education was presented to his ruler by the court pandits and after being publicly examined before the assembly of learned men and State officers a title approaching the meaning of the university degrees of Europe was conferred upon him and a pension granted for his maintenance. The educational grants in native States are generally given in jagirs and in few and rare cases the school master's bill is paid from the treasury. The general education of the people at present being simply instruction in the Hindi language a Brahman in each village has a Patshala of his own which is supported partly by the State grant and partly by fees received from the pupils and attended by boys of the Brahman, Rajput, Veysha, and Sudra castes, and sometimes by the village Mahometan boys as well. The education imparted in this institution is the reading and writing of Hindi, with arithmetic and letter writing. But in cities and towns throughout Rajputana the better class of Brahmans study Sanskrita and the Kshatras and sometimes the Veyshas also whilst the Kyeths and Mahometans as in other parts of India acquire an education in the Urdu and Persian languages. These educational institutions whether Sanskrita or Hindi, Urdu or Persian are supported by the State. The pandit maintains his bidyalaya from the

income of the land which has been assigned to himself or his ancestors and the Moulvi obtains the means of his livelihood from a similar source as the Brahman besides the fees he collects from his pupils. In some States schools and colleges have also been established for the study of the English language and these institutions are largely attended by the sons of the nobility and gentry who have commenced to appreciate the benefits of an English education.

The predominant class of people in Rajputana is the Rajput, after which the country has derived its name. In the Hindu gradation of castes, his social position stands only next to the Brahman but above all others. The correct term expressive of his tribe is *Kshatriya* the vulgar pronunciation of which is *Chuttri*. He is identical with *Shakur*, which appellation he has assumed to himself because of his presumed descent from the proud lineage of Ram the demigod and the Raja of the Hindus for which reason he is also called Rajput or offshoot of the family of a Raja. This is always a doubtful point with all foreigners and even with the inadequately informed Indians who often mistake the *Khetri* of a different blood for the *Kshatriya* of pure descent. The *Khetri* of the Punjab and elsewhere is a supernumerary caste over and above the four original divisions and resembles the *Vyda* of Bengal in the circumstance of his coming into existence and gradually growing into a tribe as large as any other caste. But as the history of that race has no affinity to the history of the *Kshatriya* we dismiss the subject with the remark that these two races are as distinct from each other as the Brahman and the Veysha. It has been conjectured by some European writers that the modern Rajputs of India are of Scythian origin. These writers base their arguments upon two principal points first that since the extermination of the *Kshatriya* race by Parasu Ram the country had been entirely denuded according to the Purans of its warrior caste and secondly that a similarity of manners and habits, and above all a constant warlike propensity is observable in every individual member of the Rajput tribe. Colonel Tod and others of his school have supported this theory. We venture to assert, however, that European antiquarians have never been so miserably misled and never committed themselves to such grievous error as in the case of the supposed Scythian origin of the Rajputs. The discovery of the tope of Manikyala by General Ventura, and with it of some Scythian Bactrian and Grecian coins and a similar discovery by Colonel Tod in Central India, caused the latter and Mr Prinsep to

conceive the idle theory of the Scythian origin of the Rajputs. The extraordinary zeal, which then prevailed among the members of the Asiatic Society for antiquarian research, induced them to commit similar errors in other matters likewise. The mistake however, has been rectified by more than one writer on Indian history and the opinion of Mountstuart Elphinstone on this subject is entitled to more respect than that of others. This historian with his usual judgment and a true appreciation of all questions Indian has proved beyond a doubt that the conjecture about the Scythian paternity of the Rajput is as erroneous as the argument in favour of it is untenable. Examining the question from a Hindu point of view we find the Puran mentioning Ram and Januk as contemporaries of Parasu Ram, the exterminator of the Kshatriyas. Subsequently at the epoch of the great battle of Kurukshetra we find mention made of numerous families of Kshatriya kings and warriors in the Mahabharat which proves the existence of that race long after its destruction by the Brahman warrior of the Punjab and the Scythians of Central Asia were not brought into contact with the people of India nor did they tread its soil till then. Under these circumstances it may be fairly asked (taking for granted the Scythian origin of the present Rajputs) what has become of the millions of Kshatriyas who lived in the reign of the Pandavas? The extermination of Parasu Ram was only confined to the limits of five rivers of the Punjab and it did not probably extend to the banks of the Jamuna or the Ganges. It is only the poet who with the licence of his craft has extended the story to Cape Comorin.

Again the restless and warlike habits of the Rajputs have led some to conjecture that this race must have an early connection of blood with the Scythians but the supposition does not stand upon a more solid ground than if it were vaguely asserted that the Egyptian priests were descended from the Brahmans or *vice versa*, because the priesthood of both the countries had a similitude in their religious monopoly. If the Scythians have any claim to the paternity of the Rajputs by reason of their wandering habits the same can not in justice be denied to the Arabs and Tartars and hence we shall have three different races to contend for the origin of the fourth. It is a matter of no small regret that the antiquarians who advocated the doctrine of the foreign origin of the Rajputs, lost sight of the simple fact that this proud race would even scorn the idea of their connection with the people of the moon were such theories advanced to them. If there is any race of people upon the surface of the earth who

think themselves purer and of more aristocratic birth than another, it is the Rajput of India who regards all other races and nations, except the Brahman of his country as beneath him as impure, base born, and contaminated. To his eye no mortal man is equal to him in purity of blood and nobility of lineage, except those born of the families of Ram and Krishna themselves. The three principal Indian castes who wear the Yagya-Sutra or sacred thread, *viz* the Brahmin Kshatriya and Veysha have an innate aversion to mix or intermarry with any nation, however powerful or opulent it may be and hence they have, as a rule, always kept themselves aloof from the foreigners who have from time to time, conquered the continent of India.

The national character of the Rajput is a point which has many distinctive features, not exactly in harmony with the rest of the Hindus as one people and not easily to be accounted for in the points in which it differs from the others. The early division of Hindus into different castes reduced them literally into different nations though inhabiting the same country and professing the same religion. The Rajput is a soldier to all intents and purposes both by nature and profession. He is first initiated into a military life by his mother when in his cradle, who relates to him the stories of the memorable defence by his race of the forts of Chittore and Ranathambore the repeated repluse of the Mahometans from before those forts and the resolution and constancy of the illustrious garrisons who fought and died within them instead of surrendering to the enemy. He hears tales of the shooting of lions and tigers by his father and grandfather, and is exhorted to follow in their footsteps when he arrives at age. When he emerges from the *zenáná*, his education commences with the Hindi translation of the Ramayan and the Mahabharat, in which he finds the recital of the warlike exploits of his race. His diversions and recreations are all soldierly from the beginning. He becomes accustomed to riding shooting, running swimming, and other manly exercises at an early age whilst the Bhats and others who attend on him, constantly read the genealogy of his family, and the soldierly virtues of his ancestors before him. It is in fact repeatedly impressed upon him both by precept and example, that he was born a soldier, must lead the life of a soldier and die a soldier. The sword which is the favourite arm of a Rajput is an integral part of his costume, and he would not move a single step without it. In his private residence he also keeps this weapon with him constantly in the bathing room in the dining room in his bed chamber, and in the company of his wife and children, the Rajput will

be ever found with it at his elbow As a soldier he has some peculiar virtues which are not approached by other Asiatics He is an excellent horseman, a successful shooter, and an expert swordsman, he is staunch in fight gallant in the field, and sober at home He is liberal in his expenses, ferocious in his looks, haughty and overbearing in his manners rough and uncourteous in his demeanour but unusually simple and candid when the inmost feelings of his heart are examined after a little familiarity He is not totally free from duplicity and dishonesty, but he would never wilfully commit them unless prompted by some exciting purpose He is fond of land, of followers and of women and wherever he resides he is sure to acquire these three things to an extent more than necessary He is careful of the strict privacy of his females and the preservation of their dignity which he holds to be his sacred duty and the source of his national honour The Rajput women of respectability are invariably chaste and honourable beautiful and educated fond of their own religion and religious in its practice, accomplished in all social points The sterner sex has also a high sense of charity and forgiveness and a strict regard for religion

It will be a material defect in the execution of the object of this article if we were to omit to mention the political relation of the British Government with the native States and the functions of the British representatives who reside at the courts of the Rajputana princes But before entering into the details of this subject it must be stated in justice to the political officers that the outside public who occasionally talk and write upon the subject greatly underrate the duties and responsibilities of our Political Agents which if impartially judged and carefully inquired into on the spot would be found as onerous and delicate as those of any office in India And, perhaps no branch of the public service requires the exercise of so much tact, or entails so great a trial of temper and judgment as the situation of a political officer in a native State The British Government, as paramount power in India and amongst its protected allies of Rajputana deemed it necessary on the first conclusion of treaties with the native powers to appoint a British officer in each State as the medium of communication between the Supreme Government and its feudatories as the friend and disinterested adviser of the latter and as a check against the intrigues and machinations of the courtiers and nobles by whom they are surrounded It has been said above that the duties of a political officer are both onerous and delicate that they are not easy is proved by the failure of many men of

undoubted ability who have been engaged on political missions May we state what, in our opinion, has constituted the cause of such failure?

May not the reason be that a British political officer in his mission to an Asiatic court is guided by his Christian impulses of right and wrong his cherished notions and convictions of the law of nations the rights of sovereigns and princes and the duties and responsibilities of a plenipotentiary as taught in the European school of politics —whilst the intrigues of the Asiatic courtiers the one sided policy of its rulers and the non fulfilment of their pledges and promises set at naught all the tact and ingenuity of the British politicals? The Indian public meanwhile always impatient for a speedy and successful termination of a foreign policy weighs the acts of a diplomatist in the scale of hope which ever longs for success and is never accustomed to receive in its balance the reverse of its wishes however impracticable the final issue of it may be The position of a public functionary in a diplomatic capacity in India is more delicate than it is in Europe His situation becomes doubly difficult when his deeds and actions become the subject of public criticism These remarks do not apply to the Rajputana politicals who as British agents deputed to inland protected States, guide the helm of their respective ships in a calm and untroubled sea, unaccustomed to the waves and storms which hazarded the political vessel of a Macnaghten or a Malcolm But, peaceful as the mission of a Rajputana political is it is not devoid of the interest which attaches itself to similar functions in other countries of the world nor does it demand the less exercise of discretion and judgment than is necessary in the remote allied States and never do the actions of these officers escape public comment when they commit the least error in the discharge of their duties But it may be inquired —what are the main duties of our Rajputana Political Agents and how far have they succeeded in the performance of them? We would reply that a Political Agent in a Rajputana State has manifold duties to perform He is the president of the court of vakeels established for the purpose of deciding cases of inter jurisdictional disputes he is the channel of communication between the British Government and the native prince, and the adviser of the latter in the administration of his State he is also the referee in all differences between the chief and his nobles and courtiers In his capacity of president of the court of vakeels, he has to decide a large number of cases annually and this alone is enough to occupy the time of an active and intelligent officer Although aided by his coadjutors, the native vakeels

of the different States, the Political Agent is the soul and substance of this court, without his constant supervision it would become corrupt and stagnate like other institutions in the hands of the natives. As the medium of communication between the native government and the Viceroy and his local representative, the Agent of the Governor General the political agent has to conduct a large amount of correspondence daily both in English and vernacular. In his capacity of adviser to the native ruler, he has to pay one or more State visits to him in a week besides the weekly or fortnightly inspection of the jail and the educational institutions. His house is a regular thoroughfare from early morning to four o'clock in the evening and men of all sections of native society and of all shades of life resort to him for advice and assistance in their respective affairs. It has almost grown to be a fashion among the gentry of Rajputana to keep up a constant intercourse with the British representative and for this reason many Thakurs and others resort to the house of the Political Agent even for matters of no great moment. The prince himself encroaches much upon the time of the Political Agent by constantly sending for him and asking his opinion and advice in almost every measure which he undertakes for the administration of his State. This increased confidence of the people and their chief in the advice of the British Agent, reveals to us a state of things which could at the outset scarcely have been hoped for which even the originators of the policy of appointing political officers in native States did not perhaps fully anticipate at the time. It is highly gratifying to see that a Rajput prince whose ancestors studiously avoided the advent of the Mahometan dignitaries and princes of the blood of the House of Delhi into their territories even on the occasion of hunting excursions does of his free will and accord invite the Agent of the Governor General to his court and when that officer's time is occupied with other more important business that the prince himself should travel miles from his own territory for an interview with him, and candidly ask his advice on State matters. It can be easily inferred from the above how it tends to the advantage of the Hindu princes and the credit of the British name and the British Government that such appointments should be well filled. We have often heard many old and thoughtful Rajputs remark that the integrity and the sense of responsibility of the British officers are the grounds of the stability of the British empire in the East, and the source of the prosperity and advancement of the nation. The Political Agent renders an invaluable service to a native State when the prince is a minor, and the



administration of the government is conducted by a Regency Council under his directions. In this instance many an officer has given English education to the minor princes, established English schools in their States, and greatly reformed their judicial and revenue administrative system, a service which has been duly appreciated by the princes themselves when they have arrived at the age of discretion and taken in their own hands the reins of government.

The general administration of a native government for the last thirty years has assumed a sober and enlightened tone theoretically not far behind that of an ordinary civilized modern State. Whether we look at its revenue system or its judicial courts, its police or its army, we find everywhere traces of system and order based upon the laws and customs of the country, and evincing a good administration. Whether we look to the flourishing shop of the *bunia*, the well cultivated field of the *ryot*, or the beautifully planted garden of the *mali*, our eye meets everywhere marks of the happiness and prosperity of the people. In cities and towns, in the midst of squares and bazaars, the banker sits with the same ease and contentment of mind with his iron chest loaded with gold and silver coins and his writing box containing cheques, notes, drafts, and hundis as he would do in the British cities of Delhi and Agra. The confectioner has the same flourishing and attractive shop as his brethren of Benares and Allahabad, and the artisan produces the same fancy articles as the members of his craft in other parts of the country. The carpenter works with his chisel with the same independence of spirit as his race throughout India, and the blacksmith beats his anvil and sings his ballad in a mood of mind equally expressive of happiness and contentment. In a word, security of life and property in a native State is not less than it is in the British districts, and forced labour is to the full as restricted in the one as in the other. The feudal lords in the districts, and the officers and ministers in the seat of government, who in former times, often lived at variance with their prince, now execute his orders and mandates with a care and punctuality indicative of a thorough spirit of discipline. The money lender, who in olden times used to oppress, torture, enslave, and sell his insolvent debtor, has been taught to realize his money by the legitimate means of the civil court. The criminal, who, only sixty years ago, if convicted of a crime, would have lost some of his limbs, now obtains food and clothing within the precincts of a jail, as well as medicine and medical attendance when the state of his health requires it. The administration of a Hindu prince has likewise

its other phase, which in some respects is so mild and humane that it excels all the theory of humanity of a Christian Government. The poor and the infirm the lame and the blind obtain full subsistence from the State alms-houses, and the widow and orphan of respectable but destitute families are provided with the means of living from the public treasury. The defaulting ryot is not dealt with so unceremoniously as under the British laws nor is he at once ousted from his field as in the British provinces under the permanent settlement.

It may be asked, perhaps how this change for the better administration of a native State has come on so suddenly and within so short a period. The question may be at once answered by a few comprehensive sentences: first by the able supervision of our political officers; secondly by the example of the liberal administration of the British districts which environ the protected States on all sides; thirdly, by the gradual infusion of a better *morale* into the minds of our Hindu princes themselves, partly by English education and partly by intercourse with British officers and other foreigners; and lastly, by the fostering care of that paternal Government which for India's good holds the paramount sway of the empire from the Khyber Pass to Adam's Bridge. The present generation is somewhat inclined to the idea of constant change and radical reform. Whilst admitting the principle of effecting progressive but gradual improvements in the system of native administration—for progress to be permanent must be gradual—we conscientiously believe that it is of all things most necessary that the existing relation of the native States with the paramount power should continue as it is without interruption for it is by virtue of the connexion as it now exists that the Hindu princes will appreciate more and more the social moral and political benefits which they derive by an alliance with the representative in Asia of European civilization and that they will be kept in constant remembrance of the duties and responsibilities with which it has pleased the great Dispenser of events to entrust them.

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- ART VI—1 *Transactions of the National Association for the Promotion of Social Science*
- 2 *Proceedings of the Bethune Society for the Sessions of 1859 60 1860 61 Calcutta 1862*
- 3 *Transactions of the Benares Institute for the Session of 1864 65 Benares 1865*
- 4 *Proceedings of the Association of Friends for the Promotion of Social Improvement*
- 5 *Five Hundred Questions on the Social Condition of the Natives of India* By the Rev J Long (Read before the Royal Asiatic Society 19th June 1865)
- 6 *The Ninth Annual Report of the Family Literary Club with the Anniversary Address* By the Rev J Long Calcutta, 1866

**S**Ocial Science is the science which investigates the laws and principles which lie at the root of society with a view to the happiness and welfare of mankind. Its province is to enquire into the internal economy of States and the conditions by which it is affected the various phases of society and their several relations their social evils and abuses and contemplating these in the light gained by experience to devise the means of amelioration and to give a civilizing and enlightened impetus to the onward progress of the human race.

We shall not stay here to enquire whether such a thing as a science of society is possible. If society is anything more than a fortuitous agglomeration of human beings taken at haphazard, if there are any moral principles which pervade and regulate the whole constitution no less surely than there are laws of human conduct which affect each member of society, if, in fact, there is much that is analogous in the body politic and in the individual man we shall take it for granted that the consideration of the one may be treated in as scientific a method, and, provided that a sufficiently large area be selected, with as satisfactory and accurate results as may the consideration of the other. The science of history is in fact the science of society with this difference only that, while the former extends its

researches to all ages and countries, Social Science (properly so called), though always ready to avail itself of the experience of the past limits its immediate enquiries to the existing conditions around us. But they equally purpose to trace the connection between cause and effect in the action of communities, to determine the laws which operate in their midst and the extent to which they are affected by external circumstances.

It is obvious therefore, that our study is intimately connected with the science of government. Treating as it does of questions of social importance it is clear that many of them must be of political importance likewise, as affecting the happiness of the majority or as calculated to leave a permanent impress on the character of the nation. The amendment of the laws and institutions of a country, popular education, the relief of the poor—these and similar questions have a political no less than a social meaning and their proper solution is no less conducive to good government than it is to the happiness and welfare of those concerned. It may not unnaturally be expected therefore that among the votaries of Social Science will be found not merely the enthusiastic philanthropist, who finds his highest pleasure no less than his chief duty in promoting the happiness of his fellow men, but also the enlightened and patriotic statesman whose warmest aspirations seek the moral and material welfare of his fatherland.

It may perhaps contribute to a more accurate conception of the subject of which we are now treating if we attempt to distinguish it from another allied branch of study with which, till late years at least it was in some danger of being confounded—we mean Political Economy. For the scope of Political Economy (as that science is understood in the present day) is now confined to the study of the laws regarding the production and distribution of wealth and only so far enquires into the social condition of mankind, as it is affected by that universal desire which is assumed as the fundamental basis of the science. Social Science on the other hand deals with other and more varied main springs of human conduct. While in one branch of its labours it derives the greatest assistance, and is indeed nearly identified with this abstruse study, it nevertheless investigates the operation of other causes at work in society, beyond and utterly unconnected with the desire of wealth. Political Economy treats of a few general principles which intrinsically are and must be true, but which may or may not be affected by peculiar institutions or peculiar conditions, with which it does not pretend to deal. But Social Science steps in here, and, by investigating these very conditions and

institutions determines how far the general principles of Political Economy and similar abstract sciences are applicable. There is probably no country in the world and there probably never existed a country in which the pure maxims of political economy could be strictly carried into practice without the most dangerous consequences. The pre-existent conditions can never, in reality, exactly correspond with those on which the philosopher works in the pursuit of his favourite theory and until these conditions are accurately determined and understood, it is impossible to foresee whether the application of theoretical principles will work for evil or for good.

It will be seen from the above that Social Science is in its very nature eminently practical. It deals ever with the present with the phenomena of society in operation around us and in our very midst with the actual condition of mankind. And in the same way its suggestions are always practical. It is ever striving after improvement; it bears on its front the watchword of amelioration; it recognises the great law of our nature and aims at the promotion of such measures as tend towards the moral and intellectual advance of the human race. And regarded in this aspect it cannot be surprising that it has never failed to enlist among its supporters the practical man of business as well as the theorist and philosopher. To many indeed its chief recommendation appears to be this—that it leads men to act no less than to think and talk. For in the first place being based like all other sciences on the observation of facts it obliges everyone who is desirous of engaging in its pursuit to use his own eyes in the contemplation of the mixed good and evil around him to look not merely on his own things but every man also on the things of others. And then when facts have been ascertained, experiments tested and the true solution has been applied the fortunate discoverer so far from being left to boast of having contributed his labours and their results to the cause of science merely, has the further satisfaction of knowing that he has been the means, perhaps, of alleviating intense woe and suffering, or otherwise of benefiting numbers of his fellow beings. It is this practical view of Social Science which must ever constitute its chief attraction and its superiority over all other Sciences, whether physical or moral.

The study of Social Science is not so novel as perhaps its name might lead us to suppose. But it was for a long time confounded and treated in connection with Political Economy and it is only of late years that it has been recognised as a distinct and independent, though nearly allied branch of study.

Like every other science it has of late years made prodigious strides. Public attention has been drawn to the subject, and it is becoming extremely popular not only in Great Britain, but on the Continent and in America. The solution indeed of the various problems connected with the condition and progress of society cannot fail to excite an interest in every man, in whose breast is to be found a spark of humanity or who is not wholly wrapt up in himself. The statesman the philanthropist, the practical man of business all who have dealings with their fellow men and who desire from motives of duty of benevolence or even of selfishness to do their best towards improving the condition of those around them and of making this world more beautiful and happy have found a pleasure and an interest in the pursuit of Social Science. It may be that all are not able to study the subject scientifically but all may contribute their observations and experience.

The first attempt in Europe to effect a combination of individual efforts in the pursuit of this science and to organize on an adequate scale the machinery necessary for the attainment of the objects at which it aims dates no further back than 1857. In that year, at a meeting held at Lord Brougham's residence and attended by forty three persons of influence was founded the National Association for the Promotion of Social Science. The new Society was based on the model of the British Association for the advancement of Science. It seeks to excite public interest and to effect the objects in view by an Annual Congress of its members, lasting a week and held in different towns of the United Kingdom. At these Congresses addresses are delivered and papers read and discussed the result being that by these means important facts have been elicited new principles of action have been laid down and several beneficial measures for the good of society or particular classes thereof recommended to the notice of the Government. A Volume of its Transactions containing the more important papers which have been contributed is annually given to the world. And not the least among the advantages which have been gained by these provincial meetings has been the local interest which has been raised in the towns which the Association has visited in sanitary and all other measures of social improvement. The Association was at first divided into five departments—Jurisprudence Education, Punishment and Reformation Public Health and Social Economy. To these a sixth department was added in 1860 for the consideration of questions connected with Trade and International Law but this division of the subject appearing somewhat redundant, the sections

were shortly afterwards reduced to the four—Jurisprudence, Education, Health, and Social Economy. The objects of the Association were thus stated by its Committee — ‘to aid the “development of social science, to spread a knowledge of “the principles of jurisprudence, and to guide the public mind “to the best practical means of promoting the advancement “of education the prevention and repression of crime the “reformation of criminals the adoption of sanitary regulations, “and the diffusion of sound principles on all questions of social “economy, trade and international law. (The Association aims “to bring together the various societies and individuals who “are engaged or interested in furthering these objects, and “without trenching upon independent exertions seeks to elicit “by discussion the real elements of truth to clear up doubts, “to harmonise discordant opinions and to afford a common “ground for the interchange of trustworthy information on “the great social problems of the day.’

It was perhaps no more than was to be expected if such an Association notwithstanding the influential names by which it was promoted, should at first be regarded with suspicion, if not with absolute disfavour. Men shook their heads, as they asked each other, *Cui bono?* and not unnaturally preferred to wait and see what the Society really could and would effect. There seemed to be a general feeling that it was but the offspring of a passing enthusiasm of which no trace whatever would remain in the course of a few years. But the Association soon triumphed over these prejudices. Its meetings proved a glorious success, some important measures of real service to the country were carried through its instrumentality and at length it so far succeeded in winning public favour, that its members are now counted by thousands. The subject was moreover taken up with interest on the Continent, in Russia especially, and the International Association was formed in 1862.

The credit of calling public attention to the subject in this country, is justly attributable to the Rev James Long,—a Christian gentleman who has so long identified himself with the elevation of the masses in India as to require no further introduction to our readers. From time to time Mr Long has endeavoured to interest the public of England and India in the the history and progress of civilization among the people of this land. His “*Five Hundred Questions on the Social Condition of the Natives of India*” have already been noticed by this *Review*. And we have now before us his lecture on “*Social Science for India*,” delivered last April at the Family Literary Club, “much to the satisfaction of the ladies and gentlemen

present," as the Report informs us. But Mr Long did not confine his exertions to mere lecturing on the subject. He succeeded in forming Societies for the prosecution of its study at Kshnaghur, Ooterparah, Sooree and Berhampore—institutions which, it is to be hoped, will shortly form valuable adjuncts to the Bengal Social Science Association. And availing himself of the sudden interest created in social questions among Europeans as well as natives by the late visit of Miss Carpenter to this country, he has we believe succeeded in placing the movement on a satisfactory and permanent basis.

To those who take an interest in the progress of social science in Great Britain the name of Mary Carpenter was not unknown. Her successful labours in the reformation of juvenile criminals and in the establishment of Ragged Schools had given her a world-wide reputation for large hearted philanthropy and wise beneficence. It was therefore with a feeling of confidence that Mr Long laid his suggestions before her and it was with a sincere pleasure that she heartily seconded his proposals. Miss Carpenter lost no time in inviting a few of the leading European and native gentry to meet her at the rooms of the Asiatic Society of Bengal. The meeting was well attended and the numerous applications for invitation proved the warm interest taken by the community, either in the subject itself or its promoter. The chair was taken by the Lieutenant-Governor Sir Cecil Beadon, the Viceroy also signifying by his presence the approval with which the movement was regarded by the Government. Miss Carpenter addressed the meeting at some length. She sketched in pure and fluent diction the history of the National Association of Great Britain and its labours up to the present time, urging the expediency of organizing a similar institution either affiliated or otherwise in this country. Her address was followed by a unanimous resolution admitting the benefits to be derived from the study of social science in India and a Committee was appointed to devise measures for establishing an Association for its promotion.

The Committee at once proceeded to draw up a scheme for effecting the objects of the proposed Association. In this they gladly availed themselves of Miss Carpenter's large experience, though owing to the peculiar conditions of this country,—peculiarities acknowledged by that lady herself before her departure from India—their recommendations differed in some material points from those originally suggested by her. A large number of persons having intimated their design of joining the Association, a general meeting of the members was held on the 22nd January last, at which the proceedings of the Committee



were finally adopted. A council and office bearers were elected, and a constitution was thus given to the new Society. And here we must take our leave of the Association for the present, in the hope that at some future day we may have reason to revert again to its labours when we may find the young and tender plant, which has just been planted a strong and vigorous tree, bearing abundant fruit and shooting out noble branches.

The objects, aimed at by the Bengal Association, are similar in their scope to those described above. The Association will endeavour to collect, arrange and classify series of facts bearing upon the social, moral and intellectual condition of the people of Bengal, and by such means to assist in the promotion of measures for the good of the country. In the department of education for instance what a wide and noble field is open to the exertions of the Society. While the revenues of the State have been expended in the foundation of Universities and the encouragement of a forced and unnatural system of training for the higher classes, what has hitherto been done for the education of the poor? What proportion among the masses throughout the length and breadth of Bengal can even write their own names? And for those who are able to read what is the character of the literature available to them? Is it not in the highest degree puerile disgusting and immoral? What again is the prospect of female education and by what means can it best be fostered and improved? What is the effect which it is likely to have on Hindu society in general, and is there any real cause for the latent opposition entertained by some of its leading members? We believe that by the popular discussions of questions like these, many facts will be brought to light which escape the notice of the Government Inspectors, while the public mind will be disabused of very many errors which it at present entertains.

Neither is education the only department with which the Association may advantageously deal. The condition of the labouring classes the improvements of agriculture the facilities for communication, the provision of a poor law for Bengal, and the principles upon which it should be based—these are subjects on which much valuable information remains to be collected, before remedial or progressive measures can be applied. The encouragement of habits of prudence and economy among the lower orders, for instance, must be preceded by an enquiry into the existing means by which and the extent to which they hoard their savings at present. Would not the establishment of Government Savings Banks, in the neighbourhood of the large towns at least, not only have the effect of attaining

the object in view but at the time of setting at liberty a vast amount of the precious metals which are now unprofitably manufactured into bangles or buried underground? The increase of habits of intemperance among all classes has already attracted the notice of the natives themselves and calls for the fullest investigation with a view to the removal of its cause. The subject of the public health too is one which should early receive the attention of the Association. The importance of vital statistics cannot be over rated and it is possible that the genius of the Society might be able to devise some better system of registration of births and deaths than has hitherto been found practicable even in Calcutta. The expediency of requiring some degree of professional skill in the native quack doctor or *kabiraj* of checking the adulteration of food and of interdicting the indiscriminate sale of poisons and the effect of these measures on the rate of mortality may also be fairly discussed. And deeply connected with this subject are the general laws of sanitation as affected by overcrowding by insufficient drainage, by close and ill ventilated houses.

These are some of the questions which invite the attention of the Association. We have not attempted to enumerate all which have occurred to our mind for one idea leads so rapidly to the conception of another, that were we to do so we should find ourselves with a set of questions before us as ample and as intricate as that propounded by Mr Long. But we have perhaps said enough to demonstrate that the new Society by the discussion of these and similar topics by collecting facts by sifting and examining theories may do much towards ascertaining the general laws which are in operation in this country and so determine the principles on which all measures of progress should invariably be based.

But it is necessary that we should say a few words as to the manner in which these objects are to be attained. It would be possible perhaps even in this country as at home for the Association to hold Annual Congresses from year to year in the chief seats of wealth and intelligence. The Association might, undoubtedly successfully meet at such large centres as Kishnagur, or Dacca or Benares and the result of such meetings would be no less advantageous in the moral and material improvement of such towns than it would be productive of increased popularity to the Association itself and its wise and benevolent objects. But at the same time we are of opinion that the Committee have very properly determined that for the present at least, the discussions of the Society shall be confined to the metropolis. Quarterly meetings then for

the reading and discussion of papers will be held in Calcutta, where a standing Council will always be at hand, to give weight, accuracy, and solidity to the Society's proceedings. And here we must be allowed to point out that the whole of this wise scheme will assuredly fall to the ground if the natives are not willing and indeed forward to contribute such information as it lies within their power to afford. We cannot and we do not for one moment expect such a sudden influx of original papers as has fallen to the lot of the National Association of Great Britain where some two hundred papers on all questions are read and disposed of at each Annual Congress. But we do expect that educated natives in all parts of Bengal will do their best to second the exertions of the Association by supplying such facts as will enable it to come to a right decision on the questions which it may choose to take up. It is only in this way that they can avoid being misrepresented, both here and in England by ignorant and misguided though probably well intentioned philanthropists, some of whom appear from time to time even in Calcutta. It will probably be found convenient to issue circulars calling for information on particular points, and the amount of good which the Association can effect will depend upon the character of the replies which are received. If they are inaccurate or untrustworthy, they will obviously be useless for any purpose whatever. Or if instead of being strictly confined to matters of fact they attempt to speculate and wander away from the subject in hand it is equally clear that they will not be much more valuable. The first business of the Association will be to collect reliable statistics accurate data on which its deductions may be safely based. And herein will be the great advantage of a central standing Council, which will be in the position to compare, test, examine and revise the papers as they are received, and thus provide that conclusions are not drawn from erroneous or insufficient premises. In course of time, as Branch Associations and Local Committees are formed in the Mofussil it will be relieved of a large proportion of these duties and we may then hope that an attempt will be made to introduce the valuable practice of periodically visiting and holding a Congress of the Association in the large towns of Bengal.

But it may perhaps be objected that the new Society is only aiming at objects which similar institutions have already attempted to compass. True, but if those objects are good and noble, and if they have not as yet been fully attained that is surely no sufficient reason why another attempt should not

be made. Rather perhaps is it incumbent upon us to endeavour to detect in previous institutions the elements of failure, and so avoid the rock on which the vessel has hitherto been wrecked.

First, then, in the order of time probably comes the Bethune Society, founded by Dr. Mouat fifteen years ago. It is well known that this Society has a section devoted to sociology but without the slightest disparagement to that noble institution, which indeed we hold in the highest respect it is perhaps not too much to say that as regards this particular section, its labours have not been marked by any great success. The fact is, the Bethune Society was established for a very different purpose it was established for literary and intellectual recreation rather than the promotion of social progress, for self improvement rather than the improvement of the masses. And hence it cannot be a matter of surprise that the Society has never made much progress out of Calcutta. There we have pleasure in admitting the great good which has been effected through its instrumentality and we believe that its labours will be well seconded, but in no way interfered with, by the new institution which has lately been established.

The 'Association of Friends for the Promotion of Social Improvement' also proved greatly useful for some time in the discussion of social questions peculiar to the country and in the diffusion of sound and enlightened views among the educated portion of the native community. But it unfortunately wandered into the maze of legislative reform and then appears to have lost itself. It lacked moreover, the weight and solidity, which a due admixture of the European element would have given to its discussions. We are informed that it is now 'in abeyance' and it will probably at once be merged into the Bengal Social Science Association.

The Benares Institute is similar in its objects to the Bethune Society of Calcutta and was perhaps one of the most hopeful native institutions that have yet arisen in this country. Founded in 1861 by Baboo Ram Kali Choudri as the 'Benares Debating Club,' it threatened at first to languish from mere want of support, but in 1864 the rule precluding the admission of Europeans was cancelled, and the expediency of the change was very soon manifest. Under the able management of the Revd M. A. Sherring, the usefulness and popularity of the Society rapidly increased as many as thirty seven papers being received during the first year after the change. The section on Social Progress, we are informed, was especially popular "and contained no less than thirty seven members, of whom

"eighteen contributed essays on as many important subjects connected with civilization and human progress" We have not heard lately of the further labours of this Society, but the above, we think, affords ample encouragement in the establishment of a catholic institution, whose labours may be extended throughout the whole of Bengal

The character and objects of the Mahomedan Literary Society are implied in its very name Like the Bethune Society, it aims at self improvement rather than the promotion of social progress Under its able and energetic Secretary Moulvi Abdul Latif, it promises to become a useful and popular institution in the cultivation among Mahomedans of this country of that art and refinement for which they have been so justly celebrated throughout the world But, confined as it is to one section of the Indian community, and being founded, moreover, for purely literary purposes, its objects are of a very different nature to those of the Social Science Association

Such are perhaps the most important of the numerous Debating Societies, which have sprung up during the last twenty years among the native community of Bengal The new institution, occupying as it does a different field, will in no way interfere with their free action and continued usefulness The Bengal Social Science Association is practical and scientific rather than literary its objects are not confined to the good of its immediate members, but in a catholic and cosmopolitan spirit it seeks the amelioration of all classes throughout the country And therefore while no argument as to its future can be fairly drawn from the fate of previous institutions—for never was an Association in this country founded under equally favourable auspices,—it is obvious that it may flourish side by side with those which are still in existence and, so far from interfering with their objects, may actually aid them in the noble ends for which they were originally established

But it cannot be concealed that, however practicable and valuable such an institution as the Bengal Association confessedly may be, there are considerable doubts abroad as to its durability and permanence It is thought that when the enthusiasm to which it owes its rise has passed away, the Society will collapse spontaneously, and disappear into the oblivion of the past But these are doubts which can only be solved by time, though at the same time those who withhold their adhesion in consequence of entertaining them, are unconsciously, perhaps, doing their best to bring about the fatal catastrophe of which they are the unhappy augurs We have seen that the same doubts were expressed in England on the formation of the

National Association, an institution which after a glorious career of ten years was never so useful or so popular as it is at the present day. And we venture to predict for the Bengal Social Science Association, a career equally successful and of long duration, if only natives and Europeans will take the trouble to communicate the simple facts which come under their immediate observation. It must be remembered that it is not elaborate papers on theoretical questions that are needed so much as a plain, unvarnished statement of ascertained facts, the basis and groundwork of every scientific system.

But there is another and perhaps more serious charge brought against the new institution, with which we feel ourselves compelled to deal at greater length. Whatever may be the advantages of social science at home, say these detractors, 'we don't believe in it for this country. We are at a loss to see what permanent good it can effect in India.' And although this objection may seem somewhat indefinite we never could get it stated in clearer or more satisfactory terms. There may be a latent and mysterious meaning underlying the words which can alone be comprehended by the initiated, or it is perhaps possible that they simply give expression to a similar vague and uncertain doubt as that which we have already considered, and which means no more or less than that the speaker does not wish to commit himself to the project, until he has seen whether it is likely to attain even a measure of success.

For our own part we are unable to conceive any argument in favour of the study of social science which is applicable to Great Britain and not also applicable to India. On the other hand, we can imagine very many additional reasons for the pursuit of the study in this country. It may not be out of place to enumerate some of these.

To put it upon its lowest grounds then we conceive that the establishment of an Association for the promotion of social science in India, cannot be otherwise than beneficial in tending to bring together in harmonious and philanthropic contact all classes of Europeans and natives. It is an unfortunate circumstance incidental to our peculiar occupation of the country, that there really is so very little in common between ourselves and even the most intelligent of the native community. Differences of race of civilization of religion—differences, at times unhappily fostered by class prejudices—alienate the two nations from each other, while there is scarcely a single standpoint which may be occupied by both in common. Any institution, therefore, which tends to bridge over this chasm and to afford common interest to both nations, is well deserving

of support and encouragement. It is not a question of political animosity between the governing body and the governed — between the conquering invader and the vanquished patriot. Our rule has now been so long and firmly established, and during all that time has been so merciful and just, that in Bengal at least we venture to say that all such animosity has long since disappeared, and British government is acquiesced in as most conducive to the moral and material welfare of the country. But identify ourselves as we will with the natives, there are race distinctions which can never be obliterated, and to which we cannot shut our eyes. We may call the Hindus our "Aryan brothers," and perhaps it is well that we should thus at times call to mind our common origin; but at the same time it must be remembered that for more than two thousand years the brothers have lived widely apart in different circumstances, and without intercourse of any kind. Time and the external conditions with which they have been surrounded have moulded in a distinct form the character, the habits, and the institutions of each. And now when they meet again on the banks of the Ganges it is scarcely to be expected that they should either of them find it an easy thing to accommodate their ideas to the other. But if there can be found any subject the study of which may excite a common interest and be pursued in union by both as brethren, it is surely not bad policy to endeavour to make the most of it. It is indeed possible that by enquiring into each others' manners and institutions, and discussing their respective merits and defects in common, we may not only both derive improvement, but learn to respect each other the more.

Nor is this all. Putting all lesser differences of class and caste aside, the native community itself is divided into two distinct portions, each with its own distinctive character and customs. There was a time no doubt when the Mahomedan was as obnoxious to the Hindu, as ever the Englishman has been to either. And if to some extent the two have been, externally at least, fused into one nationality, we may be quite sure that the union can never be perfect, so long as their respective religions, which have so much to do with the meanest actions of their every day life, differ from each other so widely. The Association of course will steadily set its face against the discussion of questions touching either Moslem faith or Hindu worship, but at the same time there are many subjects which may fairly be discussed, but yet which cannot be properly viewed in all their aspects without taking into consideration the different modes of thought prevalent

in the two great sections of the native community. And if, by associating European, Hindu, and Mahomedan in the consideration of social amelioration and reform the new institution is enabled to weld together more closely these discordant elements of Indian society, we conceive that its labours will not be altogether thrown away.

But we are further of opinion that the Bengal Social Science Association may under proper management, prove of the utmost value and importance to the Government. The very variety and distinctness in creed and nationality of the subjects which we have just been considering renders the wise and just administration of this large empire, the most difficult as well as the most wonderful problem which the world has ever witnessed. The broad and liberal principles on which the British rule is carried on the endeavour to harmonize the dogma of non interference with a civilizing and enlightened progress while they have justly won the admiration of all, impose nevertheless upon our administrators a task which might be thought almost superhuman. For divesting our minds of all ideas of superiority and right derived by conquest, if we endeavour to conceive of our Government as that which we would fain have it, a popular and national Government adapting itself to the circumstances and feelings of its subjects, instead of ruthlessly shocking their dearest associations and privileges, we shall at once see that the realization of our conception requires so intimate an acquaintance with the wants and wishes of the people, that a whole life time may well be spent in its formation. That our rule has hitherto been as successful as it has been proves that, if we have sometimes made mistakes, we have not greatly lacked the requisite knowledge in matters of importance. But when we come to details and desire to inspect the inner social life of the masses perhaps even the oldest Company's officer, who prides himself upon his knowledge of the natives, will at times confess himself to be at fault. And, if we turn to England to that Parliament in which is ultimately centred the controlling authority over all England's dependencies east or west, is it not notorious that its members not only display gross ignorance on all questions relating to India, but actually endeavour to avoid their discussion?

The difficulty is perhaps not so obvious so long as our Government is stationary. If it were possible indeed, and we were content to let things remain *in statu quo* to let the wheels of our administration drag on in the official ruts of the old by paths, there would not be much danger of our running counter to any of the customs or habits of the natives.



But so soon as we attempt to advance a single step, (and what Government is not bound to advance?) so soon as, regarding ourselves as the representatives in the East of the Western civilization of the nineteenth century, we attempt to extend its blessings to this country with the introduction of railways and a more luxurious mode of life, with the extension of trade and commerce with the progress of legislation and the purer administration of justice, we do run the risk of committing some egregious mistake which may have the effect of engendering in the minds of the natives a deep seated feeling of hostility in place of that confidence which should ordinarily exist between the governing and the governed. And in this view the Association may render important service to the Government by discussing such matters either upon the motion of Government or otherwise and in placing before it information on ascertained facts. In the amendment of the law, its operation would probably be found most beneficial, not only in discovering the temper and wishes of the community—and for one section thereof this is done already by the British Indian Association—but further in explaining the objects and policy of the Government. By the union of Europeans with natives we may hope that if the prejudices of the latter are sometimes conceded the arguments of the former may not be altogether without their due effect that objections will be carefully weighed and sifted and that, while the frivolous are rejected a broad and liberal spirit will acknowledge the force of those which appear to be based on sound reason.

The ignorance prevalent in England regarding this her greatest dependency has frequently been deplored by this country, but it is by the people of India themselves that the evil can alone be remedied. While the English are left to gather information regarding this great country from the conversation or writings of occasional travellers, whose ignorance, perhaps, or want of opportunities, has rendered their observations comparatively worthless, if not actually false it cannot excite surprise, if the views which are thereby propagated are imperfect, erroneous or even ludicrous. The gentleman who enquired the other day whether the Bombay, Baroda, and Central India Railway Company had not obtained running powers over the Mutlah line, afforded a very fair specimen of the gross and shameful darkness in which the people of England grope in the discussion of all questions relating to India. It is therefore, as has been frequently pointed out, a duty which the natives owe to themselves, and which they are bound to perform, to co-operate with those who are endeavouring to dispel that darkness,

and to supply accurate and authentic information. More particularly as regards their social condition, much of which is impenetrable and unintelligible to a European, such information can only be furnished by the educated members of native society. A genuine portrait of native manners, customs, and institutions at the present day is undoubtedly a desideratum, which we hope ere long to see supplied, but without which no real measures of progress can be properly or safely introduced. The desire to learn more of India and its people has of late years greatly increased. Not only has the application of British capital to works of industry and improvement in this country given to many a personal interest in its welfare but there has arisen a deeper sense of England's duty to this vast and teeming empire. Such happy signs augur well for India's prosperity, and cannot be regarded with indifference by those of the native community, who really have the good of their country at heart. In 1863, an Association was founded with Lord Shaftesbury for its President "for promoting the moral and social well being of India." Its objects were stated to be two—(1) "to collect and diffuse authentic information on Indian subjects, and (2) to observe the course of legislation with the view of promoting measures, calculated to advance the well being of all classes of the natives of India." But though the Association is, we believe, still in existence, yet it has actually never effected much, for this simple reason that it is situated at too great a distance from the scene of its labours. What is really wanted is an institution of the kind in this country under able and intelligent guidance, the proceedings of which would be given to the world under some sort of guarantee for their accuracy and fidelity. The transactions of the Bengal Social Science Association will, we believe, place in the hands of those gentlemen in England, who are interested in the progress of this country, information at once accurate, varied, lucid and comprehensive.

The East Indian Association which has lately been organized in London is a professedly political body. Its probable merits and defects were fully and impartially discussed in the *Hindoo Patriot* of the 14th January last and valuable as the institution undoubtedly is for the agitation of important principles connected with the administration of this country it can never be expected to enter into the more intricate if not also more interesting, questions of social progress. But on the other hand, a body like the Social Science Association may undoubtedly do much to aid its proceedings by furnishing valuable and reliable statistics and by exhibiting the various views of the different sections of the native community.

It is indeed one of the greatest difficulties which a foreign Government has to contend with in India, that the rules and principles, which are applicable to one province of the country, are found to be so little adapted to the circumstances of another. The various races and nationalities, which have been commingled here, each with their own distinct manners customs, character and institutions render the task of laying down any general law applicable to the whole of India one of very great moment and requiring the fullest possible information. Among such a varied population social questions particularly are of increasing interest and importance. The field is specially wide for the consideration of such topics, and the establishment of a body, which will enter fully into them in all their bearings, is, we conceive, in this country more than in any other specially called for.

But further we conceive that the study of social questions may do much in this country towards elevating and educating the higher classes of the natives. Our system of education wants to have a practical turn given it: it depends too much on mere memory, and requires to be supplemented by observation and the general application of fixed principles. Mere book learning may make a good clerk, but it will never make a good and valuable citizen. And if it is an object so to educate the natives, that they may take a proper part in the administration of the empire, we must first create in them a sense of their responsibilities and an interest in the welfare of the country. After the many proofs to the contrary which we have lately witnessed in Calcutta, it would perhaps be too much to say that a benevolent and philanthropic patriotism is altogether wanting among the native community, but we think it cannot be denied that such a spirit is deplorably deficient. Were it not so, we should find the public relieving the Government of a large portion of its present duties by devising and carrying out measures of social amelioration. But the Indian Government is essentially regarded as a paternal Government, and its subjects are too apt to look to it, like children, for the promotion of every project connected with their happiness and welfare. And thus the Government does much at the present time which might well be done, and which ought to be done, by the people themselves.

And surely it will not be contended that any project which has in view, or which may tend to, the cultivation of a public spirit and self-dependence is not well worthy of support. If our Government is to be national and popular in this country, the people must be taught that they are not only units of the State, to be provided for and taken care of, but that, as such,

they have duties and responsibilities incumbent upon them. This is the education which is really wanted in Bengal and which our Government has lately been doing its best to inculcate. Indeed that alone is the true view of civilization which represents it as the growth among all classes of those powers of self government which qualify an individual for the civil duties of citizenship. And in this view any institution which aims at raising the independence of the citizen cannot fail to be valuable as increasing the power and intelligence of the State. In this country however so notoriously deficient are public spirit and public opinion that it has long been the anxious and studied policy of Government to stimulate and foster them. With this view it has established Imperial and Provincial Councils which may be considered the germs of future Indian Parliaments. It has left an audacious and not always over loyal native press free and unfettered. It has encouraged municipalities and other institutions which have a direct tendency to the education of the higher classes in self government. And this policy is wise and will no doubt produce good fruit in due course of time. Already we see the British Indian Association bristle up from time to time when it sees or thinks it sees its Hindu or zemindarry privileges in danger. But the defect of that Association is this—that it can by its very nature only take a one sided and partial view of a question whereas a Social Science Association comprising as it should representatives of every section of the community would thus be in a position to furnish every shade of opinion to Government.

Excepting however the action occasionally taken by the British Indian Association it will readily be admitted that the interest taken in the course of legislation in this country is if to any extent entertained at all events very feebly expressed. Bill after Bill is introduced and passed through Council without a single dissentient voice or without the slightest popular discussion. Looking at the present constitution of the Indian Legislative Councils this absence of opposition from within can scarcely excite surprise but the absence of discussion without is, it must be confessed an unnatural symptom in the condition of the country. The course of legislation usually runs not more smoothly than that of true love and it is the rocky channel that contains the purest water. There can be no doubt that discussion is not only good for the people themselves as training them to take part in a national government, and interest themselves in the legislation of the country, but conduces moreover to greater care and diligence in the preparation of

legislative measures. And so far from viewing such discussion with displeasure the prudent legislator will endeavour to encourage it, and avail himself of the various opinions that are put forward to improve and perfect his schemes.

We have thus attempted to sketch some of the advantages which the present movement in favour of social science may fairly be expected to yield. We have seen that the new Association presents another common ground on which European and native Hindu and Mahomedan may meet in union and on equal terms, with the noblest of all objects before them,—the amelioration and advancement of the people of this land. We have considered the modes in which the Government may derive assistance and relief from the transactions of such a Society in the passing of measures calculated to promote the social welfare of the country. And we have lastly estimated the effect which such an institution is likely to have on the education of its native members in the important principles of self-reliance and self-government and in the encouragement of that public spirit which is confessedly so sadly wanting in India. And if these results do in any degree flow from the Bengal Social Science Association if will not as we conceive, have been founded in vain. On the other hand, its objects must be admitted to be noble, wise and philanthropic and as such claim the warmest support. For our own part we anticipate success, if only the native members of the institution are true to the interests of their country and avail themselves of the opportunities now offered to them. At any rate we would urge that the merits of the new Association demand a fair trial before being condemned as the impracticable dream of a visionary enthusiast.

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- ART VII—1 *The Seir Mutakherin* by Seid Gholam Hossein Khan an Indian Nobleman of high rank who wrote both as actor and spectator Calcutta 1789
- 2 *Mémoire pour le sieur Duplex contre la compagnie des Indes avec les pièces justificatives* Paris 1759
- 3 *A History of the Military Transactions of the British Nation in Hindostan from the year 1745*, by Robert Orme M A F A S London John Nourse 1773
- 4 *Histoire de la conquête de l'Inde par l'Angleterre* par le Baron Barchou de Penhoen Paris 1844
- 5 *Inde* par M Dubois de Jancigny et par M Xavier Raymond Paris Firmin Didot Frères 1845
- 6 *An Account of the War in India between the French and English on the Coast of Coromandel from the year 1750 to the year 1760* Compiled by Richard Owen Cambridge Esq London T Jeffreys 1761
- 7 *History of the Mahrattas* by James Grant Duff Esq Longmans 1826
- 8 *The History of India* by the Hon ble Mountstuart Elphinstone London John Murray 1849
- 9 *Nouvelle Biographie Generale depuis les temps les plus reculés jusqu'à nos jours* Paris Firmin Didot Frères 1862
- 10 *The National Review* Vol IV London Chapman and Hall 1862
- 11 *Historical Sketches of the South of India* by Lieutenant Colonel Mark Wilks London Longman 1810
- 12 *The History of British India* by James Mill with Notes by H H Wilson London 1858

THE vigour and energy displayed by Bussy at Amboor and Gingee his prompt action at Kuddapah, alike on the field of battle as after the death of Mozuffer Jung his subsequent march through the entire breadth of the Dekkan, and his triumphant entry into Aurungabad on the 29th June, 1751,

have been already adverted to \* What there then remained to him to accomplish, and how he accomplished it, we have still to record

But in order that we may obtain a complete and comprehensive view of the situation—that transporting our minds to the past, we may gaze at a panorama from which the light of the present is excluded, so as to see the India of that day exactly as India then was we purpose in the first place to give a brief retrospective sketch of the country known as the Dekkan defining its original connexion with and its degree of dependence upon the empire of the Moguls

The term Dekkan though embracing in its literal meaning the whole of the southern part of India was always held by the Mahomedans and has been since held by ourselves to comprehend only that portion of southern India lying between the Nerbudda and the Kistna After the extinction of the Toghlucluck dynasty in 1399 there arose from the ruins of the Delhi monarchy six independent sovereignties south of the Nerbudda These were the states of Golconda Byjapore Aurungabad, Beder Berar† and Khandesh Of these, in the course of time Berar merged into Aurungabad and the greater part of Beder into Golconda the remainder being swallowed up by Byjapore But with the accession of the house of Timour to the throne there commenced a struggle on the part of its representatives to recover these ancient appanages of the empire Their efforts were so far successful that in 1599 Khandesh was incorporated by Akbar into his dominions Thirty eight years later Aurungabad till then governed by the Nizam Shahee dynasty and the capital of which had been captured by Akbar in 1600 was finally conquered by Shah Jehan The dynasty of Adil Shah in Byjapore succumbed to his son and successor Aurungzebe in 1686 whilst the dynasty of Kootub Shah in Golconda offered a successful resistance to that monarch but a year longer Thus it happened that twenty years before his demise, the whole of the country lost to the crown of Delhi on the dissolution of the empire under Mahomed Toghlucluck had recognized the supremacy of Aurungzebe

It must not be imagined however that every portion of the three fallen monarchies of Golconda Byjapore and Aurungabad,

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\* *Calcutta Review* No LXXXVI

† The Berar of those days did not include nearly so much territory as the kingdom of that name governed by the Mahratta family of the Bhon la. Nagpore itself did not form a part of it being the capital of the adjoining province of Gandwana. Its capital was Ellichpore.

stretching as they originally did to the sea to the westward, and comprising the cities of Poona and Sattara, as well as Bijapore and Golconda was in an equal degree of subjection to that monarch. Before even their conquest had been achieved, there had appeared the first germs of a power destined to rival, and finally to overshadow even that of the Mogul. Commencing as a robber and a freebooter Sivajee succeeded in baffling sometimes even in defeating the armies of the emperor. Leaving the capitals of the Mussulman dynasties to be occupied by the Moguls he filched away whole districts for himself. So successful had he been in such enterprises, that on his death in 1679 he left as an inheritance to his son, the western or seaboard portion of the territories that owed allegiance to the rulers of Aurungabad and Bijapore. The consequence of this and of the subsequent contest of the Mahrattas with Aurungzebe was that on the death of that prince in 1707 the territory called the Dekkan dependent on the Delhi empire comprised the ancient kingdom of Golconda a portion of the old kingdom of Aurungabad with Aurungabad itself and but a small slice of Bijapore. Dependent on this however was the long slip of 560 miles of territory on the eastern coast, known as the Carnatic. The western coast with the exception of the parts occupied by the English and Portuguese but including the cities of Poona Sattara and Bijapore had become permanently Mahratta.

Aurungzebe was himself exercising regal functions in the Dekkan when his last illness attacked him at Ahmednugger. On his death—the 21st February 1707—the authority in that quarter devolved upon his son Azim Shah with whom was the best officer of the late emperor Zoolfikar Khan. When, notwithstanding the efforts of Zoolfikar Azim Shah was defeated and slain by his brother Sultan Moazzim at Agrā in June of the same year the latter so highly appreciated the talents of his opponent's general that he at once appointed him Subadar of the Dekkan conferring upon him at the same time the title of Ameer ool Amrah. Zoolfikar however preferred the intrigues of the Delhi court to an independent vicerealty. He accepted indeed the appointment but leaving Daood Khan Punnee as his deputy he joined the court of Moazzim who had assumed the title of Bahadoor Shah. On the death of this prince in 1712 a grand opportunity was offered to Zoolfikar for the exercise of the adroit baseness that with him was habitual. He took full advantage of it so full indeed, that he very speedily met with the ordinary fate of unprincipled intriguers. For, having betrayed the emperor Jehándár Shah into the hands



of his nephew Farokhsir he was at once strangled by order of the new sovereign Zoolfikar was succeeded in the governorship of the Dekkan by Cheyn Koolch Khan, who was dignified on the occasion by the title of Nizam-ool Moolk a title which has gone down to his descendants, the present rulers of Hyderabad

Nizam-ool Moolk known likewise as Asof Jah was still Subadar of the Dekkan when the first contest for supremacy between the French and English began in the Carnatic We have seen how in the early part of those struggles he imposed his law upon the contending parties by the appointment after the murder of Sudder Ali of his trusted lieutenant Anwar ood deen as Nawab of the Carnatic His death and the consequences resulting from it—the succession of his son Nazir Jung his alliance with the English his murder at the battle of Gingee the installation of Nazir Jung's nephew Mozuffer Jung his death at the moment of victory over the revolted Nawabs — and finally the elevation in his place of his uncle Salabut Jung the next surviving son of Nizam ool Moolk have been already recorded \* We have now to see what sort of inheritance it was upon which Salabut Jung thus entered the obstacles that lay in his path the difficulties that seemed to increase with every movement that he made The office of Subadar of the Dekkan was not an hereditary office It was in the gift of the emperor of Delhi Now at the time of the death of Nizam ool Moolk the imperial throne had just fallen into the nominal possession of Ahmed Shah and that monarch found himself too beset with difficulties of his own to pay much attention to the affairs of the Dekkan It was in consequence of this and of the increasing anarchy at Delhi in succeeding reigns that the satrapy of Hyderabad—the appointment to the government of which still remained nominally in the Crown—came to be regarded virtually as an appanage of the family of Nizam-ool Moolk It was however the knowledge that the real appointment was vested in the emperor which induced the various claimants of the family of Nizam ool Moolk to the Subadaship to fortify their pretensions by the publication of an imperial firman It was by virtue of such a rescript real or pretended that on the death of Nizam-ool Moolk his son Nazir Jung set forth his claims to be his successor Relying upon the same authority, the validity of which was equally doubtful Mozuffer Jung disputed those claims When death had removed these two competitors and the French General Bussy, had elevated the third son of

Nizam-ool Moolk Salabut Jung to the dignity, that noble man records Mr Orme did not think it safe to appear in sight of the capital before he had acted the staid but pompous ceremony of receiving from the hands of an ambassador, "said to be sent by the Great Mogul letters patent, appointing him viceroy of all the countries which had been under the jurisdiction of his father, Nizam-ool Moolk "

Salabut Jung however was but the third son of that famous viceroy The elder brother Ghazee-ood deen, had indeed as we have stated preferred on the death of his father to give a sullen acquiescence to the elevation of his second brother Nazir Jung to the Subadarship rather than to plunge into a contest with one who had taken care to possess himself of his father's treasure But time had changed the aspect of affairs Nazir Jung had gone Mozuffer Jung had gone and in their stead reigned Salabut Jung—a man reared in the lap of luxury unused to govern effeminate, slothful and possessing an almost empty treasury This state of things presented an opportunity for self aggrandisement which in the decline of the Mogul empire few possessed sufficient virtue to resist Ghazee-ood-deen at least had not that sufficiency Through the agency of Mulhar Rao Holkar he opened out negotiations with the Peshwa Ballajee Bajee Rao and succeeded in inducing the great chief of the Mahrattas to support his pretensions

We have seen how the difficulty presented by this alliance had been momentarily overcome A present of two lakhs of rupees during his march to Golconda had induced the Mahratta general to retire Such presents however ever form but incitements to new attacks From the date of his triumphant entry into Aurungabad—the 29th June 1751—to the autumn of the same year Salabut Jung had indeed lived unthreatened During that interval however Ghazee ood deen and Bajee Rao had had time to cement their plans and it soon became but too clear that the prospect of a larger bribe had combined with the promises of Ghazee ood deen to determine the Peshwa to make a new and more formidable attack upon the Dekkan on the earliest and most convenient occasion Affairs in that quarter being thus threatening we may proceed to enquire how they were influenced by the conduct of Bussy how likewise his presence in the capital of that division of the empire affected, or was likely to affect the plans which Duplex was revolving for the growth of a French empire in India.

The march of Bussy to Aurungabad in 1751 at the head of a force of three hundred Europeans and two thousand disciplined sepoys, his overthrow during that march of the three

conspiring Nawabs his prompt elevation of Salabut Jung to the office and dignity of Subadar had had the primary effect of making the French absolute masters of the situation Bussy had, indeed been a consenting party to the payment of two lakhs of rupees to Bajee Rao as the price of his retreat,—but solely because he considered and rightly considered that the possession of the capital and the peaceful occupation of the country in the first instance were objects which could scarcely be purchased too dearly Arriving at Aurungabad he so ordered his conduct that whilst nominally the faithful ally he might really be the master of the Subadar To this end he selected as his own residence and as the place to be occupied by his troops a fortress at one of the extremities of the city, and completely commanding it On the defences of this he mounted his guns and disposed his detachment in such a manner that it might be ready for immediate service He established amongst them the most rigorous discipline No soldier was permitted to leave the fort but at a fixed hour and at a fixed time and not even then without the written permission of the commandant Punishments more or less severe according to the offence followed every infraction of discipline The result was all that could be desired There were neither bouts of drunkenness amongst the soldiers themselves nor quarrels or altercations with the townspeople The richest and most valuable goods were freely displayed under the protection of the French soldiery Indeed their conduct at Aurungabad was so exemplary that the natives soon came to admire them for their courtesy as much as they had before feared and esteemed them for their valour \*

Nor was Bussy for a long time less happy or less successful in his dealings with the Subadar and his courtiers It was impossible that a man possessing any discrimination of character could be long associated with Salabut Jung without noticing the frivolity and weakness of his nature Few could fail to see that in a government like that of the Dekkan—a government quasi independent but which notwithstanding a powerful emperor at Delhi might at any moment reclaim—a government which thus founded on no solid or permanent foundation was exposed to the incessant attacks of the encroaching power of the Mahrattas—everything must depend on the character of the ruler If that ruler were weak and unstable if he had no resources within himself no mental energies upon which

to fall back and to depend it was certain that he must become the sport of fortune the tool and instrument of the strongest mind that had access to him Now Salabut Jung Bussy early divined, was that weak and unstable nature and he determined that no one but himself should play the part of the strong minded counsellor In the force which he commanded he had one instrument upon which he could count to enable him to attain the desired position. It was not indeed that he displayed or intended to display his troops in an attitude of menace He was far too wise, far too clear headed for that He shut them up as we have seen, in a fortress and drilled them into courtesy and gentleness But the moral effect of that force was increased thereby tenfold Whilst they excited no jealousy not a man but knew what they had done what they could do what they were ready to attempt at the slightest word from Bussy His power of restraining such a force added greatly to the influence of its presence

But it was not upon the force that he so greatly relied That was indeed the basis of his power but a less able man might notwithstanding have used the influence given him by so strong a position to little purpose Bussy trusted for the success of his plans to his own acquaintance with native character Though frank, open, and conciliatory he was in those days before yet age and gout had begun to undermine his faculties a model of resolution and tact He had spent many years in India in close contact with the natives more especially with those of high rank and he understood them thoroughly He had too the advantage of possessing a settled plan Before leaving Pondichery he had concerted with Duplex the manner in which he was to carry on his relations with Mozuffer Jung and he anticipated no difficulty in following his instructions to the letter now that he had to deal with the more facile character of Salabut A glance at the map of India and a recollection of the history of the period will show how vast how gigantic yet under ordinary circumstances, how feasible was this plan Separated by the Vindya range from the disorganised empire proper of the Mogul the possessor of the Mahomedan province of the Dekkan seemed to be in a position to be able to give law to the whole of South eastern India He commanded a large army and ruled over a warlike population He was the liege lord of the ruler of the Carnatic and he wielded in that province itself the authority of the Mogul He was thus the possessor of the moral and physical power—he had the right to use force, and the force ready to be used,—and in those days when the name of the Mogul was everything and the reputation of the European settlers comparatively nothing, that double

power ~~was~~ apparently an irresistible, really a very potent lever

This being the position of the province known as the Dekkan and thus the power of its ruler can we greatly blame that policy which at a moment when France had all but overcome her hated rival in the Carnatic determined without striking a blow to make that position and that influence purely French? What a vista did it not hold out to a patriotic ambition? What dreams of empire what visions of imperial dominion! Possessing the Carnatic by this policy gaining the Dekkan the minarets of the Jumma Musjid and the jewelled ornaments of the Peacock throne seemed near enough to excite the fancy and to stimulate to irresistible action!

This tempting vision offered yet another advantage It seemed so easy of accomplishment Knowing the native character so thoroughly as did Dupleix he was well aware that notwithstanding the obligations under which the reigning viceroy might be to the French they would all be forgotten unless he were continually reminded of their power as a people—unless he had constantly before his eyes evidence of their superiority It was therefore primarily not less to maintain French influence at the court of the Subadar than to support the pretensions of Mozuffer Jung that Bussy had been directed to accompany that prince to Aurungabad Dupleix did not doubt that with the French troops under a soldier diplomatist in occupation of his capital engaged to support the Subadar and, what was of more consequence the Subadar himself feeling that that he could depend upon them alone to support him the soldier diplomatist if he were skilful and able would inevitably draw to himself the whole influence of the province that he would shape its foreign policy and inspire its political action—that he in fact would become the omnipotent mayor of the palace, the Subadar subside into the powerless automaton!

Thus to divide his forces and to lose the services of his ablest general in the presence of such an enemy as were the English, who had the sea as their base of operations was undoubtedly to run a great risk Yet before we condemn Dupleix too harshly for running such a risk we must point to the situation of affairs on the coast at that time The two nations were nominally at peace The entire Carnatic and Trichinopoly with the sole exception of the town of that name had acknowledged Chanda Sahib as Nawab The English had positively refused to assist Mahomed Ali in the defence of that city But even were he to succeed in persuading them to do so it seemed as though Dupleix had nothing to fear from their efforts, for Lawrence,

their ancient leader, was absent the genius of Clive, had not then been discovered and Duplex knew and rated at its real value the capacity of such men as Gingen and Cope. Could he foretell that out of that dispirited colony of baffled enemies, who not even venturing to remove their seat of government to Madras, remained cooped up in Fort St David idle spectators of his daring enterprise there would arise one of the most consummate leaders of the age? Ought he to have acted as though such a contingency were possible? Yes undoubtedly if we are to judge men by the highest standard if we are to make no allowances for human impulses and human passions we are bound to declare that he ought so to have acted. Before sending Bussy to the Dekkan he ought at least as a measure of wise precaution to have made sure of Trichinopoly to have crushed the last rival of Chanda Sahib. Had he done that—had he thus deprived the English of all pretext to interfere—and had he then been able to send Bussy to Aurungabad—the Carnatic would have been his the Dekkan would have become his and before long all India south of the Vindya range would have acknowledged the supremacy of the French.

Still though it was a great as it turned out indeed a fatal fault who will assert that in the presence of so great a temptation, and in the prospect seemingly certain of repose in the Carnatic—for it will be remembered Mahomed Ali had lulled the suspicions of Duplex by promises to surrender—who we say will assert that such a fault ought to be imputed as a crime to the illustrious Frenchman? We must recollect that the moment was so opportune—Mozuffer Jung going to take possession of his government the necessity that he should be accompanied by a body of Frenchmen so urgent the peace of the Carnatic so assured—that there seemed but small necessity for the services of a Bussy. To Duplex it must have appeared as if he incurred a very small and a very distant risk, in order at once to grasp a very present and very certain gain—a gain which must have an enormous effect on the result of any future struggles in the Carnatic. Can we even blame him much if he looking into the future with but human eyesight decided to run that small risk? The prospect indeed was so peculiarly alluring to a brilliant imagination that Duplex would not have been Duplex had he decided to neglect or to defer it.

As it was, everything seemed at first to favour the daring plans of the French Governor. He could not certainly have been more fitly or more ably represented than by the clever and versatile Bussy. We have already noticed the skilful and unobtrusive manner in which this officer disposed his soldiers

in Aurungabad His own conduct was based upon the same principle To appear as nothing yet to be everything in the State to show himself to the world as the commandant of the French Contingent maintaining in the eyes of the natives by his lavish expenditure and outward show the dignity of that office, to direct in secret all the foreign relations of the Government, to make all their acts chime in with French interests In this manner he laid the foundations of an influence destined to survive the loss of power and prestige at Pondichery and which had that power and that prestige not fallen would in all probability, have worked with a most decisive effect on the events that were to follow From the date of the arrival of Bussy in Aurungabad, on the 29th June 1751 all his efforts were directed to the establishment of this occult influence He entirely succeeded Very little time elapsed before he had brought Salabut Jung to the persuasion that the safety of his person depended on the presence of the French troops at his capital and that the security of his empire could be best assured by his following the counsels of the French general The latter kept himself all this time studiously in the background His secret influence however was exerted to appoint as ministers of the Subadar men whom he believed to be devoted to himself and although he was more than once as we shall see deceived by the superior *finesse* of Asiatic intriguers he never wanted the boldness and promptitude to repair every error and even to use to the advantage of his country the opportunity afforded him by the attempts to weaken his influence

Whilst Bussy was thus employed in laying the foundation of French power at the court of the Subadar the intelligence reached him of the alliance between Ghazee ood deen and the Mahrattas having for its object the expulsion of the French nominee Salabut Jung Whilst, in all probability Bussy would have preferred to pursue that task of consolidation which would have enabled him to employ the resources of the Dekhan in aid of the French designs in the Carnatic he can scarcely have regretted the opportunity which this threatened invasion seemed likely to afford him, of teaching the warlike inhabitants of Western India to respect French discipline and French valour Whilst, therefore, the news, that Ghazee ood deen himself was advancing from the north at the head of 150 000 and Ballajee Bajee Rao from the west with 100 000 men spread consternation and dismay in the court of Aurungabad whilst some counselled retreat and others even entered into negotiations with the invader, Bussy himself remained calm and unmoved When called upon by the Subadar for his opinion, he gave him advice of the same nature

as that which Clive a little later gave to Governor Saunders,— advice which stamped him at once as the man for the occasion :—

Care not ' he said for the invading army you will best preserve the Dekkan by marching upon Poona. It is a signal proof of his great influence at the court of the Subadar that this bold advice was promptly followed. The better to make his preparations the Subadar had moved from Aurungabad to Golconda. When after many days he ascertained that the allied enemies had begun their movements from two opposite directions upon Aurungabad he accompanied by Bussy and in pursuance of the plan suggested by him broke up from that place and leaving Aurungabad to its fate marched upon Beder,\* the original capital of the ancient kingdom of that name. Besides the large but irregular army of Salabut Jung Bussy had with him 300 French troops in the highest state of discipline and 5 000 drilled sepoy. Meanwhile no sooner was the rainy season over than Ballajee Bajee Rao entered the Dekkan and proceeding on the true Mahratta principle of making war support war ravaged the country on every side. It is not to be imagined that he had any particular regard for Ghazee ood deen or any particular hatred for Salabut Jung. With him it was simply a matter of business. Whilst the two Mahomedans were fighting for the sovereignty of the province, it was for him to hold aloof until one was thoroughly beaten and both were completely exhausted. Action on his part then would give a large slice of the Dekkan to the Mahrattas. Meanwhile little dreading any movement on the part of Salabut Jung he proposed to enrich himself and his followers by the plunder of the border provinces of the Dekkan. The bold march of Bussy upon Beder however, entirely disconcerted these plans. Still more was Ballajee troubled when he saw that the enemy had no intention whatever of

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\* Grant Duff and the author of the *Seir Mutakherin* both state that Ahmednugger was the town upon which the Subadar marched after leaving Golconda. Mr Orme on the contrary indicates Beder. We are inclined to believe that in this instance Mr Orme is correct. The Mahrattas were marching on Aurungabad from Poona, and their natural route would take them through Ahmednugger. Considering that Ghazee-ood deen was likewise marching upon Aurungabad a movement of Bussy upon Ahmednugger would certainly not have had the effect of alarming Ballajee Bajee Rao about the safety of Poona. On the other hand Beder lies in the direct route from Golconda where Bussy then was to Poona, and it is the place whence the most telling attack could be made on the Mahratta territory. We can easily imagine how the intelligence of an expedition starting for Poona from that place would inevitably bring down Ballajee from the north to protect his capital.



remaining at Beder but were moving thence direct upon his capital. Renouncing at once all thoughts of the invasion of the Dekkan Ballajee hastened to proceed to the defence of his own dominions. He was at the head of a numerous army, confident in their leader and in whom their leader reposed the fullest trust. Very often had he led them to victory, more than once indeed over this same army of the Dekkan which now had the presumption to invade the sacred soil of the Mahrattas. Could he doubt the result now? Of the foreigners who accompanied the army of Salabut he might indeed have heard but the smallness of their numbers was sufficient to deprive them of any formidable character. They besides had never come in contact with a regular Mahratta army had never been called upon to repel those sweeping charges of cavalry which had so often proved fatal to the armies of the Mahomedans.

Selecting then 40 000 of his best horse and leaving the remainder to follow Ballajee hastened to bar the road to Poona and if possible to destroy the enemy at a blow. The Subadar with his French allies had but just left Beder *en route* to Poona when they learned the approach of the Mahrattas. In accordance with the Mahomedan tactics they formed up to await their attack. Bussy however so planted his guns consisting of ten field piece as to command the ground over which the enemy must charge. Having done this and placed his infantry in line in support he calmly awaited the approach of Ballajee.

It was indeed the first time that the Mahrattas had regularly met an European enemy on the open field—for the Mahratta contingent in the Carnatic had consisted of comparatively a handful and they had there acted the part of auxiliary skirmishers rather than of an independent force. But Bussy had before him now the flower of the Mahratta army—and of the Mahratta army in its best form. The Mahrattas were at that time the rising power of Hindostan. The warriors of that people had not then begun to depart from the traditions an adherence to which had made them a people. Their splendid horsemanship, their long endurance their ability to move without tents without baggage of any sort without other supplies than those which each individual soldier carried upon his horse, had combined with their daring tactics to render them superior to those Mahomedan armies which a long course of misgovernment and want of system had ruined. The luxurious equipments of the armies of Aurungzebe formed a striking contrast to the unostentatious camps of Akbar and from the time of the death of the Aurungzebe even the appearance of discipline had ceased. The

Mogul armies, hopeless of victory conscious of the incapacity of their leaders half beaten before they had struck a blow, felt themselves unfit to make head against the new power that was gradually overwhelming Hindostan

Bussy was well aware of this Full well did he know that the issue of the contest that day depended upon himself and his soldiers upon those French whom he had led almost across the continent who starting from the waters of the Bay of Bengal were now straining their eyes to gaze upon the Arabian Sea He waited for the attack however full of confidence At length it came The clouds of dust the loud tramp of countless horses could forbode nothing else It was clear that 40 000 of the choicest horsemen of the East headed by their Peshwa were about that day to endeavour to surpass all their former deeds of valour At full speed though without order with spear in rest shouting victory they charged But the nerves of the little band of French men were neither shaken nor unstrung Standing at their guns they waited coolly the order of their commander When it came discharges of grape and cannister not single but continued combined with a never ceasing file firing from the infantry told the Mahratta horsemen what kind of enemy this was against whom they would have to contend for empire The result was never doubtful After a few rounds the Mahratta horse could bear no more They turned their horses heads and disappeared \* Bussy was not the man to allow a victory to remain barren He persuaded the Subadar to march instantly towards Poona not stopping to listen to the offer of the Peshwa for accommodation but to move straight upon the capital

There were however as is usual with an oriental army wheels within wheels Ballajee Bajee Rao the Peshwa was on bad terms with Tara Bae the grandmother of the youthful Raja of Sattara and she was even then disputing his right to govern for her grandson With her therefore to weaken Ballajee the advisers of Salabut Jung had entered into communication On the other hand Ballajee recognising at once the value of the services rendered by the French Contingent to the Subadar endeavoured by all those means so common at an oriental court to excite jealousy of the French leader by attributing to him personal

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\* The author of the *Sair Mutakherin* a Mahometan thus writes of the battle Ballajee Rao without suffering him (Salabut Jung) to come so far (as Poona) met him half way with an army of 50 000 horse but was defeated at which time the French with their musketry and their expeditious artillery drew smoke from the Mahratta breasts.

motives and private ambition We shall see that both these efforts bore their fruit in their season

Little caring for probably ignorant of, these intrigues Bussy still prevailing with the Subadar moved on until he found himself once more in the vicinity of the Mahratta army at Rajapore on the Ghore river The time was propitious for an attack An eclipse of the moon had called all the Hindoos to their devotions, and Bussy was resolved to take advantage of their superstition to beat up their quarters It was a new thing to his Mahomedan allies to witness this attempt to fight the Mahrattas with their own weapons,—to attempt to surprise those who had owed a great part of their success to their own quickness and vigilance So great was their opinion of the Mahrattas that this attack seemed to them witnesses as they had been of the flight of the cavalry of Ballajee in the open field, to savour more of rashness than prudence Nevertheless Bussy attempted it Taking advantage of the moment when the eclipse of the moon would as he believed engross all the attention of the enemy he moved upon their camp and opened suddenly a fire of artillery and small arms The surprise was complete Ballajee himself who was busy at his devotions and naked had hardly time to throw himself on an unsaddled mare, on which he saved his life by flying with all his might \* His example was followed by his entire army, and though the accounts of the slaughter vary † it is certain that the Mahrattas lost an immense quantity of booty and that a heavy blow was dealt to their prestige as warriors Proportionately and even more than proportionately did the victory increase the reputation of Bussy It can easily be understood on how high an elevation those who had so dreaded Mahratta dash and daring must have placed the man who knew thus how to avail himself of their weaknesses

The day following this exploit the 23rd November 1751 Bussy advanced towards Poona the Mahrattas contenting them selves with hovering about his flanks and endeavouring though unsuccessfully to impede his advance On the 24th he attacked and destroyed the town of Tullygaom Two days

\* Seir Mutakherin

† Grant Duff asserts on the authority of Mahratta accounts that the surprise was incomplete and that the Mahrattas did not suffer materially The author of the Seir Mutakherin states on the other hand that the Mahrattas were set upon in the night and with so much success that "they lost a vast number of men whom the French consumed in shoals at the fire altars of their artillery Grant Duff admits that this action had an immense effect in raising Bussy's reputation

later, Ballajee made another desperate effort to recover his lost prestige. Some of the most famous Mahratta chieftains — amongst them two sons of Ranojee Sindia and Koneer Trimbuck Yekbootee — were chosen to lead a renewed attack on the allied camp. On the 27th November this attack was made, the enemy charging the native troops of Salabut Jung, dashing through every obstacle and completely overwhelming them. It seemed for an instant as though it would be impossible to restore the day. The little band of Frenchmen all this time however maintained their position threatened but not assailed. At last noting the slaughter of his allies, Bussy changed his front and brought his guns to bear upon the masses of hostile cavalry with such effect that they retreated from the field they had almost gained and gave time to the troops of the Subadar to rally from their disorder. The next day the town of Korygaom on the Bhima was occupied by Bussy who thus found himself within twenty miles of the capital of the Peshwa.

It formed no essential part of the plan of Salabut Jung however to make any conquests from the Mahrattas. His interests pointed rather to breaking up the confederacy between that people and Ghazee ood deen even if possible to forming an alliance with those who had been the allies of his rival. Swayed by the wise counsels of Bussy he had in the presence of two armies each superior to his own, succeeded not only in preventing a junction which would have overwhelmed him but in forcing the one army to meet him on the ground he had chosen and in so dealing with it as to convince its leader that it was for his interest to ally himself with him, rather than with his competitor for the rule of the Dekkan. Thus after the last battle the Peshwa began to consider whether it was necessary or advisable to continue the contest further. Any nearer approach to Poona or Sattara might he felt give to the partisans of Fara Bae a weight sufficient to endanger his own influence and power. He accordingly opened out negotiations with Salabut Jung and although these were protracted owing to some difficulties raised by that nobleman an armistice was concluded at the beginning of the year.

Salabut Jung was however anxious to come to an understanding with the Mahrattas the more so as his own army badly organized and worse officered was almost in a state of mutiny. The men had some reason for their discontent, for their pay was considerably in arrear but the officers especially the superior officers for the most part uneducated in their profession, were jealous of the credit gained by the French. They constantly insinuated that Bussy had ulterior objects in view which a prolongation of hostilities alone could procure for

him But there was another reason not less potent Ghazee ood-deen was now marching upon Aurungabad, and it was an object with Salabut to deal with him whilst yet the recollection of the recent campaign should be fresh in the minds of the Mahrattas The advice given by Bussy under these circumstances was worthy of his reputation for tact and skill The French leader had not been unobservant of the signs of discontent But it had seemed to him even less desirable for French interests than for those of the Subadar to march upon Poona He resolved therefore to act in such a manner as at the same time to allay those discontents and to further the interests of his countrymen He accordingly supported the propositions in favour of peace both openly and in private thus alike disarming his enemies and gaining still more entirely the confidence of the Subadar

The armistice concluded the army returned toward Golconda overthrowing on the way some refractory Rajahs who had refused tribute But in the course of its march an incident occurred which called for the prompt action of Bussy The prime minister of the Subadar Rajah Rugoonath Dass a man devoted to French interests was assassinated by some of the Affghan soldiers of the army whose officer the Rajah had insulted It then became necessary to arrange that a fitting person should be appointed in his place And here Bussy for the first time allowed himself to be overreached He had met at the court of the Subadar a nobleman of ability and skilful address Syud Lushkur Khan This man had divined the designs of the French, hated their persons and dreaded their influence Nevertheless in order the better to counteract their plans he dissembled his sentiments and pretended for Bussy in particular the greatest devotion and esteem He hoped by this means and by his influence to obtain office under the Subadar intending after he should have obtained it, to use all his power to thwart the French power and to undermine the position of the French leader Bussy was completely taken in Believing Syud Lushkur to be the man he represented himself to be he recommended him to the Subadar as a fit successor to the deceased Rajah and obtained for him the appointment

There was however much for Bussy to do before the intrigues which Syud Lushkur instantly set on foot had time to work Ghazee-ood-deen yet lived and threatened So far indeed from abating his pretensions in consequence of the defeat of Ballajee he had stirred up the Bhonsla to attack the Dekkan in the north-east whilst he himself with Mulhar Rao Holkar to assist him, should enter it through the gate of Aurungabad

The threatened invasion of Hindostan by Ahmed Shah Abdallee, had indeed combined with the hostile attitude of the Rohillas, and the consequent intrigues at the court of Delhi, to detain Ghazee-ood deen at that capital longer than he had anticipated. By degrees, however the difficulties in the way of his departure were removed and, in the month of September 1752 he reached Aurungabad with an army computed at 150 000 men.

Then began those intricacies of intrigue such as are seen only in an oriental court. There were assembled at Aurungabad Ghazee-ood deen, whose real and avowed object was to obtain the sovereignty of the Dekkan and to obtain which he was ready to sacrifice a portion of it to the Mahrattas on the side of that people Ballajee supported by Holkar and the Bhonsla, was endeavouring to persuade each of the rivals to offer him a higher bid than the other. Salabut Jung had there no avowed representative although his minister Syud Lushkur, was present at the conferences. This man however the better to carry out his plans had persuaded his master to connive at the fiction that he had been dismissed from the office of Dewan and had therefore, proceeded as a discontented noble to the confederates. In this way he urged he could better worm out their secrets. His real object however was to cement to the utmost of his power the alliance between the Mahrattas and Ghazee ood deen with the view of expelling Salabut Jung and with him the French general and his troops.

The right of Ghazee ood deen as the elder son of his father gave him in this dispute a moral influence which was not without its effect on the nobles of the Dekkan and which very much disturbed Salabut Jung himself. It is possible that under the circumstances and in the face of the Mahratta alliances which Ghazee ood deen had at length cemented by the offer of a considerable sacrifice of territory he might have been inclined to listen to a compromise when an event occurred which removed the necessity for further negotiations. Living at Aurungabad in the ancient palace of the Subadars was one of the widows of Nizam-ool Moolk —she who had borne him but one son, the next in order to Salabut Jung, Nizam Ali. All the hopes of this lady were concentrated in the ardent desire to see this son sitting on the viceregal seat of his father. Between that wish and its accomplishment there were however two obstacles. One of these Salabut Jung was out of her reach the other Ghazee-ood-deen was at Aurungabad. To thrust him out of the path she wished her son to follow she had no scruple as to the means by which such a result could be obtained. She accordingly invited Ghazee ood deen to a feast, and in a dish of

which she persuaded him to partake, telling him truly that it had been prepared with her own hands, she poisoned him. Ghazee-ood-deen died that night.

Freed by this crime from his principal rival Salabut Jung, as next in the order of succession was at once acknowledged Subadar of the Dekkan. He had still, however, before him the whole force of the Mahrattas not only the army of the Peshwa, but united with it those of Holkar and the Bhonsla. The ruler of the Mahomedan state of Burhanpore who had before declared for Ghazee-ood-deen now announced his intention to stand by his engagements with the Mahrattas. There remained then to Salabut Jung the alternative of a murderous and doubtful war, or the resignation to the Mahrattas offered by Ghazee-ood-deen, of the territory west of Berar from the Taptee to the Godavery. The decision was left by the Subadar to Bussy and he regarding a solid peace on such conditions as more favourable alike to the interests of the French and the Subadar than a doubtful war recommended compliance with the terms offered stipulating only that the Bhonsla should retire beyond the Wyn Gunga river. This stipulation was agreed to and peace was proclaimed.

These arrangements having been completed Syud Lushkur returned unsuspected to his office of Dewan and the Subadar who accompanied by Bussy and his army had been moving in the direction of Aurungabad set out for Hyderabad destined thence forth to be the capital of the Dekkan. This was in the early part of 1753. During the year that had passed Bussy in addition to his own duties had been in constant communication with Duplex had watched and lamented over the incapacity of Law without being able to draw him from his embarrassment and had shown in every letter his own readiness to be employed for the best advantage of France. In the course of it he learned the decline and death of Chanda Sahib at the same time that he received from Duplex intimation as to the utter unfitness of him who should have been his successor. Under these circumstances he applied himself with untiring zeal to use his position at the court of the Subadar for the benefit of France. How, he thought could this be more strenuously carried out than by the appointment of Duplex himself to the Nawabship of the Carnatic. This appointment had indeed been conferred upon Duplex by Mozuffer Jung but from motives of policy Duplex had made over the dignity of the office to Chanda Sahib. On the death of this latter was it to revert to Duplex for him either to administer the office himself or to appoint a deputy in his place, or was he to suffer it to be bestowed upon some possible enemy of the French power? To such a question there

could be one reply By his influence with the Subadar, with whom the nomination legally rested, the confirmation only of the court of Delhi being required Bussy procured the issue of the patent for the investiture of Dupleix the receipt of which at Pondichery we noticed in our last number.

We have now described to our readers the manner in which Bussy was employed during that trying period, when the unassisted genius of Dupleix had to contend against the steadfastness of Lawrence and the vigour of Clive Although the scene of his action continued to be still distant from Pondichery yet his movements were so intimately connected with the policy of Dupleix that we propose to continue the account of them up to the moment when in an evil hour for the interests of the French their greatest proconsul was recalled to be another victim to the besotted government he had served but too well

The year upon which he was now entering 1753 was to see Bussy exposed to many trials to witness his successful over riding of the dangers and artifices peculiarly calculated to test the qualities of a statesman to show how vain are troops and resources and strong military positions when there is not a man to command them In the month of January just after peace had been concluded with the Mahrattas, and whilst the Subadar was on his return march to Hyderabad Bussy worn out by fatigue and exposure, was suddenly prostrated by sickness So severe was the attack that unwilling as he was at a moment so critical to relax his grasp of the threads of the various negotiations in which he was engaged he was nevertheless forced in obedience to the directions of his medical advisers to consent to proceed for change of air to Masulipatam The reluctance with which he allowed himself to be persuaded was due mainly to his conviction that just at that precise period the maintenance of the influence of the French depended almost wholly on his own presence at the court of the Subadar He had no one near him to whom he could entrust those delicate negotiations not a single officer in whose judgment even in whose ability to maintain discipline over his troops he could place any confidence His second in command, M Goupil was a man of the most ordinary abilities—one of those simple characters whose want of imaginative power constantly exposes them to the machinations of intriguers To leave the force in his hands even had Bussy possessed, as he supposed a devoted friend in Syid Lushkur, was indeed a risk to leave it with him when that Dewan was his determined though secret foe, was to expose it to almost inevitable disgrace Fortunate was it for Bussy, that in



the state of weakness to which his malady had reduced him he never once suspected the secret object to which all the machinations of Syud Lushkur were directed. It is scarcely too much to suppose that the shock of such a discovery and the endeavour to counteract its effects would have been fatal to him. Even though not suspecting it, the prospect of his departure caused him terrible uneasiness. But there was no help for it he must have rest and change and relaxation or he must die. With a heavy heart then, he set out leaving his place to Goupil, his counsels to the Subadar and Syud Lushkur and promising to all a speedy return, little imagining probably the form and fashion which that return would take.

No sooner had the Subadar reached Hyderabad after his departure, than the Dewan commenced the secret machinations by means of which he hoped to effect a permanent breach between the Subadar and the French, to rid the country in a word of the latter. In this course the weakness and indecision of Goupil came greatly to his aid. We have before adverted to the strict discipline which from the time of his arrival at Aurungabad Bussy had introduced into his army and we have pointed out how the exact and rigorous order which he enforced had contributed to the confidence of the people even to their affection for their European allies. General as such feelings were among the population they were far more deeply implanted in the breast of the Subadar himself. Salabut Jung had not been a careless spectator of the fate of his relatives. The fact that his own brother Nazir Jung, his nephew, Mozuffur Jung had both been treacherously slain by their own adherents had impressed him with the advantage of having in his immediate vicinity a body of men unconnected with his own nobles upon whom he could fully and entirely rely, whose support would enable him to make a successful stand against the worst form of rebellion. He had determined, therefore, at the outset, never to separate himself from the French. To them he had been indebted for his quasi-regal position, depending upon them only he felt that he could maintain it. These resolutions in their favour had been confirmed and strengthened by the signal services rendered by Bussy in the war with the Mahrattas, not less than by the exact discipline which he had maintained amongst his men.

On the departure of Bussy however, the Subadar not only lost the man with whom alone of all the French, he was accustomed to hold confidential intercourse but he witnessed likewise very soon after, a marked change in the conduct alike of officers and soldiers. Goupil, in fact, was not even a disciplinarian, he was simply good natured and weak. The

regulations which Bussy had so rigidly enforced were by him one by one set aside. The consequence was that the troops who had been, under the one, the preservers of public order, became, under the other its persistent infringers. Drunkenness and licentiousness took with them the place of sobriety and discipline. This change of conduct on their part was naturally followed by a change of feeling on the part of the people, until by degrees the alienation became marked and the dislike to the foreigners intensified. Syud Lushkur had not only watched this change of conduct with an eager eye but he had by many means in his power excited and stured it up. The most effective of these means was the withholding from the French their monthly pay. Not only did he hope thus to incite them to some acts of indiscipline such as would embroil them with the people and exhibit them in an odious light to the Subadar but he trusted to it likewise as the charmed weapon by which he would procure the removal of their head quarters from Hydrabad and their final expulsion from the Dekkan. He set to work, however with great caution and with all the appearance of friendship. When he informed the French officers that he possessed not the funds to pay them he accompanied this avowal with numberless professions of the most profound regret laying the blame on the tributaries who had neglected to send in their imposts. When some time afterwards the French officers beset by their soldiers for want of money and themselves seriously inconvenienced on the same account again complained to him on the subject he went a step further. The state of affairs he said as to the non receipt of the public revenue remained the same but he added the French were at liberty to take the law into their own hands by moving against the refractory tributaries. These in different parts of the country distant from one another he indicated nor did he fail to point out to the French officers the pecuniary advantages which might result to them personally from such a mode of collecting the revenue. This proposition apparently so fair and even considerate, completely deceived Goupil and his officers and some detachments were at once sent out. Under other circumstances it might perhaps have been difficult to obtain the consent of the Subadar to their departure, but the acts of violence and disorder recently committed by the French had even scandalised Salabut Jung and he offered no opposition to the plan.

But though the force had been thus diminished, Syud Lushkur determined to divide and weaken it still more. He persuaded the Subadar to return to Aurungabad—the city in his dominions most distant from the seat of the French

power,—accompanied only by a small detachment of French soldiers and sepoys, leaving the remainder at Hyderabad, the governor of which city received at the same time the most positive instructions to make them no advances of pay. He determined at the same time to disembarass himself and the court of the presence of M. Goupil, who imbecile as he was yet by virtue of his commission as commandant *ad interim* of the French forces occupied a position which when the plot was ripe for execution might give him sufficient influence with the Subadar to defeat it. This part of his scheme he managed with an adroitness the coolness of which is worthy of admiration. He went to Goupil told him of the intended movement to Aurungabad, intimated the intention of the Subadar to take with him but a small escort of French troops, and then begged that he would command it. Goupil unsuspecting replied that his duty was to remain with the bulk of the force and that as the escort was to be so small it would suffice if it were commanded by an officer of inferior rank. He accordingly remained at Hyderabad, sending M. de Janville an officer of but little weight or experience to command the escort accompanying the Subadar.

Determined from the outset to leave no stone unturned to accomplish his end, Syud Lushkur had likewise entered into a correspondence with the English, offering to aid them with the whole power of the Dekkan if they would assist him in his schemes for the expulsion of the French. This proposition coincided in entirely with the wishes of Mr. Saunders but engaged at the time in a deadly struggle with the French before Trichinopoly, he was able to lend only a moral support. He entered, however, into an active correspondence with Syud Lushkur, and encouraged him to persevere in his great undertaking. Towards the end of April 1753 the plot seemed on the verge of success. The French were scattered all over the country their main detachment at Hyderabad had been starved into a condition bordering upon mutiny in attendance upon the Subadar was a young officer without influence or ability. It seemed natural to Syud Lushkur that troops so high spirited as the French thus starved and neglected would be but too glad to accept a free dismissal from the country in which their presence seemed to be so unwelcome. So completely indeed did Syud Lushkur count upon the success of this policy, that he wrote at that period to Mr. Saunders telling him to have no fear for the result, for, he said, "I have arranged the mode in which to rid myself of your enemies. The plan is in action, and with the assistance of Providence, the result

" will be what you wish I expect to be with you by the end  
" of the rains, and to arrange then everything in a satisfactory  
" manner "

Meanwhile, the French at Hydrabad were in want of every thing The governor of that city, Mahomed Hoossen Khan had carried out only too well the orders he had received, and had refused the French troops and sepoys even the smallest supplies Nor were their detachments better off in the provinces Separated from the main body and from one another, they were not in a position to effect anything in presence of the silent opposition that seemed everywhere to rise up against them They fell at once into despondency every thought turned towards Bussy, had he been on the spot they argued this dilemma would never have occurred he alone could extricate them from it. Such were their thoughts, and thus thinking they despatched messenger after messenger to their old leader

When Bussy received these messengers and the letters they carried, he was lying still sick in Masulipatam The sea-breezes of the coast had indeed contributed somewhat to the restoration of his strength, but prudence would have counselled him a longer intermission from the harassing duties of official life But almost simultaneously with the letters from Hydrabad, there came from Pondichery a communication which decided him That confidential letter from Syud Lushkur to Mr Saunders, from which we have extracted happened to be intercepted by French agents By them it was carried to Pondichery, and handed over to Duplex

Duplex received this letter at a time when he was meditating those proposals to Mr Saunders for peace which he essayed in July of this year, and to which we shall refer in their proper place To this course Bussy from his sick bed at Masulipatam, had long urged him advising him to renounce the old policy of empire he had so long followed To make proposals for peace with any effect, however, it was necessary for Duplex that he should be paramount in at least one province of India Hitherto he had trusted that his prestige in the Dekkan would make up for his losses in the Carnatic But now this letter showed him that his prestige in the Dekkan was waning, his power about to be annihilated He comprehended all in an instant. He saw at once how it had happened how it was to be remedied With him to think strongly was to act vigorously He at once despatched to Bussy a letter written in the most emphatic terms, urging him, even though his health might not be completely re-established, to set out immediately for Hydrabad The manner in which Bussy acted on the receipt of this

letter is thus recorded by Dupleix himself "Le sieur de Bussy," he writes, "was too zealous a patriot not to sacrifice even health "itself for the benefit of the State" Without delaying a day he issued orders to all the detachments in the district to unite at a place near Hyderabad, where he proposed to join them at the end of that month \* Setting out then himself, he found all his troops, amounting to 500 Europeans and 4,000 sepoy, assembled there His first step was to re-established the relaxed discipline of his little army the next to restore their confidence this done he marched upon Hyderabad The governor of that place, intimated by his prompt action, and seeing that the scheme of his chief had missed fire consented after some demur to liquidate the arrears of pay, without, however, engaging to make any stipulation for the future

Meanwhile a letter from Dupleix to the Subadar had made Syud Lushkur aware of the interception of his letter to Mr Saunders He knew then that the mask had fallen from his visage, and that the keen glance of the ruler of Pondichery had read all the thoughts of his heart Still he seemed resolved to trust to the chapter of accidents to carry him through his hazardous game Still he refused to advance the necessary sums to Janville's detachment Still he ordered Mahomed Hoossen Khan to temporise and gain time He thought most probably that at Aurungabad in the extremity of the Dekkan, in close contiguity to the almost impregnable fortress of Dowlatabad, he was safe even from the scorn of Dupleix and the vengeance of Bussy

But he was not The communications of Bussy with Mahomed Hoossen and the shifting and prevaricating conduct of the latter, very soon convinced the French leader that under the circumstances of the case but one course of action remained to him He must march at once to the city which the advisers of the Subadar had selected as the place whence to offer to himself and his French these repeated insults he must push these traitors from their seats and re-establish with the Subadar his old bonds of confidence and amity Every preparation accordingly was at once made for a march upon Aurungabad on the conclusion of the rains

An undertaking more hazardous more difficult, more daring it is not easy to conceive From Hyderabad to Aurungabad is a distance of five hundred miles The officials of the entire country were under the sway of Syud Lushkur The equipment of the force for such a march was a matter of no small consideration No money was

forthcoming from Mahomed Hoossen, and the expenses not only of the equipment but likewise of the supplies had to be met and provided. But besides this, the possible attitude of the Subadar and his advisers had to be looked to. There were no means of knowing what Syud Lushkur would do as he did the resources of the province might not attempt in such a conjuncture. There was the possibility, indeed, that the handful of French men might have to fight their way to Aurungabad surrounded by enemies, with no resources but their own brave hearts and the courage and capacity of their leader.

Nevertheless Bussy not only found means to equip the force, but no sooner had the rains ceased to fall than he set out. The mere fact of his march completed the confusion that reigned in the mind of Syud Lushkur. It unnerved and unstrung him. As abject and depressed as he had before been haughty and confident, he despatched letters of submission to Bussy, tendering his resignation confessing his fault and requesting the French general to appoint another in his place. This submission however did not stop Bussy. He still marched forward until he arrived within a few miles of Aurungabad. He then altered his plan. Feeling himself master of the situation he was unwilling that the terms which he resolved to impose should seem to be the result of force or compulsion on his part. He resumed then at once the old character of the submissive ally of the Subadar. He claimed nothing but hinted at everything. Sometimes he flattered Syud Lushkur at other times he whispered the faintest indication of a menace. The result answered his expectations. Having allowed his wishes to be penetrated everything that he coveted was granted, and Syud Lushkur who had exhausted intrigue in order to rid the Dekkan of this French warrior was forced to sign his name to a treaty which rendered that same Frenchman independent of ministerial influence, which severed from the Dekkan to add to the government of Pondichery four of the finest provinces on the eastern coast of Hindostan.

On the 4th December all preliminaries having been arranged, Bussy was met by Syud Lushkur and other lords of the court and conducted into the presence of Salabut Jung. This interview, which was of a purely formal character having been concluded Bussy signed with Syud Lushkur the articles of agreement by which the French alliance was thenceforth to be regulated. The principal of these provided that the four provinces of Mustafanagpur, Elore, Rajamundrum, and Chicacole should be made over to the French for the support of their army so long as a certain strength should be maintained in the Dekkan they receiving the rents then due on account of them that the

French troops should have the sole guardianship of the person of the Subadar that he should not interfere in the affairs of the Carnatic and that the other affairs of the State should be conducted with the concurrence and by the advice of M Bussy In return for this Bussy engaged to support Syud Lushkur in the office of Dewan.

By this treaty there accrued to the French four hundred and seventy miles of seacoast, from the Chilka Lake to Motupalli, stretching inland to a distance varying from thirty to a hundred miles, watered by such rivers as the Kistna, the Gondemana, and the Godavery, and,—including the district of Guntoor, previously ceded—containing the important towns of Ganjam Chicacole, Vizianagram, Vizagapatam Coringa, Yancon Masulipatam, Guntoor, Ellore, and Nizampatam This united territory, afterwards called the Northern Circars, possessed an area of about 17 000 geographic miles, and yielded an annual revenue of about £400,000 sterling The forests within its limits abounded in teak one part of the country was famous for its manufacture of cloth another for its growth of rice Nor was it wanting in capabilities of defence Resting on the sea it was covered from the inland by a chain of mountains running at unequal distances nearly parallel with the coast. These mountains were covered with impenetrable forests possessing only three or four passes, capable of being defended by an hundred men against an army To use the language of the English historian these territories rendered the French masters ‘of the greatest dominion both in extent and value, that had ever been possessed in Hindostan by Europeans not excepting the Portuguese, when at the height of their prosperity’\*

Was not such a prize worthy of the struggle? Did not this important cession of a rich, a defensible, country, justify to some extent the pertinacity with which Dupleix continued to struggle, the obstinate retention of Bussy in the Dekkan? What impartial observer looking at the position of the French and that of the English in the month of December, 1753, would hesitate to affirm that the main advantages rested with the French? The English of that period could not help seeing and admitting it. Had it been possible for Dupleix at this period to have waived something of his high pretensions to have given up his scheme in its shadowy outline in order to be the more secure of its substantial proportions, his policy might yet have ultimately triumphed. But it was not to be possible When we do revert to the history of the negotiations that he inaugurated,

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\* Orme, from whom this account of the Northern Circars has been mainly taken.

we shall, we fear, be forced to allow that the sentence pronounced by the French historian\* upon one of whom in the greatness and versatility of his genius Dupleix was in many respects the type and the forerunner, may be applied also to him, and to admit, that if in war he was guided by his genius, he was sometimes impelled, to too great an extent, in politics by his passions.

The first act of Bussy after receiving the patents for the transfer of the four provinces, was to send thither a body of one hundred fifty Europeans and two thousand five hundred sepoys to take possession of and to protect them that force being placed under the orders of the French agent at Masulipatam M Moracin There is conclusive authority for stating that the mode in which these provinces were administered by the French, was such as to do them great honour "The rent ' was moderate enforced without rigour, accurate accounts ' were prepared, and most of the hereditary officers, if not those " possessing rent-free lands, were confirmed in their property †

But although thus foiled, notwithstanding that his efforts to expel the French had resulted in the aggrandisement of that nation, Syud Lushkur Khan did not in the least relax his endeavours He was still left minister and to the minister there were abundant opportunities of whispering calumnies into the ears of a credulous prince Once more therefore he resolved to play upon the fears of Salabut Jung He represented to him that it had ever been the policy of the French to make the accession of a new ruler an occasion for their own profit and advantage that to this end they had supported Mozuffer Jung against Nazir Jung and on the death of the former had preferred him the present Subadar, to the legitimate heir of Mozuffer Jung, he added, that out of all these transactions the French had made a profit, and that now, having obtained all that was possible from the reigning noble they would be prompt to listen to the ambitious offers of his brothers. He, therefore, urged the Subadar at once to place his brothers in confinement. He did this in the hope that Bussy, knowing the innocence of the two princes, would at once intercede in their favour, and that this intercession, interpreted by the Subadar to his discredit, would instil into his mind suspicions which must tend to his speedy disgrace

With the Subadar, indeed, this scheme produced the desired result. He issued prompt orders for the incarceration of his brothers But Syud Lushkur had mistaken the character of

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\* M Thiers. *Histoire du Consulat et de l'Empire*

† Grant Duff



**Bussy** This able officer at once recognised the right of the Subadar to an uncontrolled supremacy in his own family. The imprisonment of the two princes did not affect French interests. Although, therefore, urged by several of nobility and by many friends of Syud Lushkur to intercede in their behalf, he held himself studiously aloof. To all their importunities he replied that he respected the orders and the secrets of the Subadar and his ministers, and that he did not wish to mix himself up in State affairs which did not concern the interest of his nation. This prudent conduct on his part convinced the Subadar of the groundlessness of the suspicions with which his minister had endeavoured to poison his mind. As to Syud Lushkur, he was so disconcerted at the result of this second intrigue that he sent in his resignation and retired into private life. He was succeeded in his office by Shah Nawaz Khan, a nobleman of high character and position, believed by Bussy to be attached to French interests. Opportunity was taken at the same time to remove from office all the adherents of the fallen minister and to replace them by others professing devotion to the French.

This change had the happiest results. From the time of its taking place to that of the recall of Duplex in August of the same year the condition of the French troops remained unaltered. It is true that Janojee Bhonsla son of the famous Ranojee, who had died in the March of the previous year, made an attempt to invade the dominions of the Subadar. No sooner however, had he learned that it was Bussy who was marching against him, than he hastened to conclude a peace\*. Another attempt of some stray Mahratta bands to disturb the French occupation of the Northern Circars was dissolved by the fire of the French artillery—the disaffected noble who had incited it being forced to throw himself on the mercy of Salabut Jung. In other respects, thanks to the prudence of Bussy, to the confidence which he inspired in all about him everything continued tranquil. The French troops well housed and regularly paid, showed their ancient discipline and recovered the lost confidence of the people. In the month of April Bussy accompanied the Subadar to Hyderabad. After remaining with him there for two months, he set out for Masulipatam to settle the affairs of the four new provinces he had obtained for France on a regular basis. The day before his departure an incident occurred which is worthy of being recorded. The Subadar summoned for that day a grand council of his ministers, and

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\* April, 1745.

invited Bussy to be present at it. On his entering the hall of audience, the Subadar and his nobles hastened to assure him that as they felt one and all that to him and to French valour alone they owed their present peace and prosperity, they wished, before he left for the coast to swear to him an inviolable attachment and an eternal gratitude, requiring from him a solemn oath on the sacred book of the Christians to continue to them his protection, and to return to their aid when they should be menaced by an enemy. A Testament was then produced, and in the presence of all Bussy took the required oath. Then, leaving behind him officers whom he could trust, he set out for Masulipatam. Here he was when the arrival of Godeheu at Pondichery, on the 1st August following gave him the first intimation of the fatal blow which France herself had dealt to her own struggling children in the East.

It is now time that we should return to Duplex. We left him at the end of 1752, disappointed indeed in his views on the Carnatic but still maintaining a bold front before his enemies still hopeful of the future especially hopeful of the action of Bussy in the Dekkan not having resigned one of his daring schemes, or faltered in the prosecution of his far-seeing plans of empire still cool, determined resolute confident in himself, confident in the fortunes of France. He had likewise this consolation that the great Genius who had delivered the English at Trichinopoly had left India for Europe, and he was himself daily expecting the arrival of 700 men under a leader who had proved his steel. It was not alas! for him to imagine that those troops and the gallant de la Touche would meet with the most terrible of all deaths\* in the broad ocean, and that he would have again to parry, with diminished resources and without a general the powerful attacks of Saunders and Lawrence.

The number of European troops which Duplex had at his disposal at the beginning of 1753 did not exceed 360. To support these were 2 000 trained sepoys and 4 000 Mahratta horse under the command Morari Rao. Major Lawrence on his side was able to bring into the field not less than 700 Europeans aided by 2,000 sepoys, and 1,500 horsemen in the employ of Mahomed Ali. With respect to the cavalry arm, therefore, the French had the superiority both in the number of the troops and the material of which they were composed. But in the number

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\* A body of 700 men under de la Touche left the Isle of France for Pondichery in a vessel called the *Prince* in 1752. She however was destroyed by fire with nearly all on board.

of Europeans, the nerve and mainstay of an army, the English had immeasurably the advantage

But notwithstanding this real inferiority, Duplex determined to make up by the rapidity of the movements of his force for its inequality the matter of Europeans. In the leader of the Mahrattas, Morari Rao, he met with a man willing and able to second him in this mode of warfare. With him it was concerted that whilst the Mysoreans under their regent, the uncle of their infant king, should press the city of Trichinopoly,—upon which Duplex had renounced none of his views,—he, with his own Mahratta cavalry, and the entire available French infantry, avoiding a pitched battle should so occupy Major Lawrence and the English that no opportunity should be afforded them of assisting the beleaguered garrison of that city. The fall of that place would, it was hoped, at once ensure the overthrow of Mahomed Ali and the supremacy of the French.

In pursuance of this plan, the allied force of French and Mahrattas under the command of Morari Rao and M. Maissin, marched from Valdour on the 14th January, and intrenched themselves on the river Punar, near Tiruvadi, seven miles from Fort St. David, and in close vicinity to the spot in which d'Auteuil had defeated Cope and Mahomed Ali in July, 1750. From this place, which they fortified very strongly, they commenced a series of harassing movements against the English, cutting off their supplies, capturing their forage parties, and rendering it most difficult for the garrison of Tiruvadi to hold any communication with the garrison of Fort St. David, or with the inhabitants of the surrounding country. In vain did Lawrence attempt to bring them to action: the allies on his appearance in force invariably drew up behind their intrenchments. To such a state of distress was he reduced at last that he found himself compelled to use his whole force as an escort to the convoys whose arrival was necessary for the support of his troops. This service wearied and dispirited his army, besides entailing upon it many losses from the Mahratta skirmishers, who never failed to hover about and harass his line of march.

For three months this state of affairs continued—the French and Mahrattas constantly issuing from their impregnable position to annoy and damage the enemy. On the 12th April, in particular, the English force returning to Tiruvadi from Fort St. David with a convoy was surrounded by the whole body of the enemy, and but for the ability of Lawrence and the misconduct of the French battalion, which hastily abandoned a defile which it ought to have held, would have been in great danger. The same day, however, Lawrence having been joined by 100 English and

100 Swiss from Madras, determined to endeavour to put an end to the unsatisfactory state of affairs by storming the French intrenchment. He accordingly made a strong reconnaissance in its direction, the next day, even mounting two 24-pounders on a battery which he threw up against it. The little effect, however, which the fire from these two pieces produced on the enemy's defences as well as an examination of their strength, determined Major Lawrence to desist from the attempt as one that was beyond his power.

The three months during which the main force of the English was thus kept employed on escort duty at Tiruvadi, had been used meanwhile to a very different purpose by the contending parties at Trichinopoly. This city after the surrender of Law had been left by the English commander under the charge of Captain Dalton having under him a force of 200 Europeans and 1500 sepoys. An abortive attempt on the part of the regent of Mysore to surprise the city after the departure of Major Lawrence had resulted in his retiring with his troops to Seringham. Here he entered into correspondence with Duplex at the same time that he continued to profess friendship for Mahomed Ali and the English. When however the junction of his subsidiary, Morari Rao with the French and his stoppage of the supplies necessary for the English left no doubt as to his hostile intentions Mr Saunders resolved no longer to keep terms with him, but sent instructions to Dalton to treat him as an enemy.

The twelve months of renewed warfare before Trichinopoly of which we are about to give a general description, were fraught with the most important consequences to both the rival European nations then struggling in India. We shall see the genius of the people displayed in the form for which each has for centuries been remarkable. The daring of the French, their activity, their courage their devotion will be found not less conspicuous than the obstinacy, the perseverance the coolness, and intrepidity under difficult circumstances of the English. We shall have to admire not less the address and versatility of Dalton and the vigour and presence of mind of Lawrence, than the skill of Astruc and the dashing intrepidity of Mainville. In one point, and that an essential one, the English had the advantage at the outset. Their European soldiers were superior in number, these too had shared in all those conflicts which had terminated in the surrender of Law they had served with Clive and with Lawrence, and had learned under their able leading to believe in their own invincibility. The French soldiers, on the other hand, were, at all events for several months,

not only fewer, but they were dispirited by defeat, and had ceased to place the smallest confidence in the officers who led them on

The campaign opened on the 3rd of January by an attempt on the part of Dalton to drive the Mysoreans and Mahrattas by a night-surprise out of Seringham. Night surprises with a force composed to a great extent of native troops are always more or less hazardous, and this one proved to be no exception to the rule. At first victorious, the darkness of the night caused amongst his men a confusion which the repeated charges of the Mahratta cavalry converted into disorder. The attack was consequently repulsed, and Dalton was forced to retreat into Trichinopoly with a loss in killed and wounded of 70 Europeans and 300 natives. Far from being cast down by this defeat, Dalton exerted himself with success to foil all the attempts of the Mysore leader to take advantage of his success and when at last, this latter succeeded in establishing 8,000 of his best troops at the Fukeer's Tope—a strong position four miles south of Trichinopoly. Dalton availed himself of his personal acquaintance with the character of their commander—one Virana,—so to play upon his fears, that he abandoned of his own accord his impregnable position and left it still feasible for Dalton to communicate with the open country beyond.

But before this had happened Dalton had ascertained from personal inspection that but three weeks supplies remained to him in Trichinopoly. At the time that he made this discovery, the position of the regent of Mysore in Seringham and of Virana to the south of the town, had effectually barred from him all communication with the country and ignorant then how far he might be successful in his attempts to frighten the latter he had despatched an express messenger to Major Lawrence begging him to march to the relief of the city.

Major Lawrence received this intelligence on the 1st May not quite three weeks after he had proved the utility of attempting the French position on the Punar. His part was instantly taken. Leaving 150 Europeans and 500 sepoy under Captain Chace for the defence of Tiruvadi, he marched with the remainder of his troops amounting to 650\* Europeans and 1 500 sepoy for Trichinopoly by way of Chillumbrum, Condore,

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\* Major Lawrence had with him at the beginning of the year 700 Europeans. he was joined in April by 200 more as stated in the text deducting from these the 150 left behind and 100 as casualties there would remain 650. Of these he sent 100 into hospital on arrival at Trichinopoly and his force was further thinned by desertions.

and Tanjore. He took with him no tents and only the quantity of baggage absolutely necessary. As he approached Trichinopoly the plain was crowded with the 5,000 cavalry and 3,000 infantry that formed Virana's force. They however, offered him no opposition, retiring into Seringham, as he, on the 17th May, entered Trichinopoly.

But this movement on the part of the English did not escape the eagle eye of Dupleix. Conjecturing at once that the destination of their force could be no other than Trichinopoly, he instantly despatched 200 Europeans and 500 sepoy to Seringham to reinforce the hundred men he had sent thither at the beginning of the year. The command of this force he confided to M. Astruc, a promising officer though untried in command, and he directed him to proceed by the Volcondah and Ootatoor route already familiar to us from the movements of the previous year. In the entrenched camp on the Punar there remained 160 Europeans and 1,500 sepoy under the command of M. Maissin.

Hostilities between the rival powers before Trichinopoly commenced on the 21st May by a daring attempt on the part of Major Lawrence to drive the enemy out of Seringham. In this however after operations which lasted twenty hours he was foiled\*. He accordingly withdrew his troops, who had suffered but slightly, and moved to the Fukeer's Tope, the old position of Virana four miles south of the town. Despairing then of driving the French out of Seringham he set to work to supply the city with provisions. Owing however to the numbers of the Mahratta horse and the intrigues of the enemy with his allies he found this a work of greater difficulty than he had anticipated. Nevertheless as its accomplishment was of primary importance he devoted to it all his energies though it compelled him rigorously to avoid hostilities for the five weeks following his repulse from Seringham.

This time had been well employed by Dupleix. No sooner had he ascertained the small number of troops left behind by Lawrence at Tiruvadi—a number liable to be diminished by the necessity of providing supplies for that garrison and for Fort St. David,—than he sent instructions to Maissin to spare no efforts to storm it. Maissin in consequence attacked the place first on the 3rd of May and failing renewed the assault some days later. He was however once more repulsed but when the English, not content with repelling the attack, sallied forth to the number of

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\* Mr Orme attributes this failure less to the skill of M. Astruc than to the want of perception on the part of Captain Polier, a Swiss officer in the English service. He admits however the ability of Astruc.

60, accompanied by 300 sepoys, into the plain, they were surrounded by the Mahratta horse, and cut to pieces to a man. From this success resulted the capitulation of Truvadi with all its remaining garrison, the capture of Chillumbrum, and a movement on the part of Mortaz Ali, the Nawab appointed by Duplex to recover the strong places of the Carnatic. Accompanied by fifty French soldiers and a considerable native force, this chieftain did indeed cause considerable alarm to the partisans of Mahomed Ali completely defeating on one occasion the troops of that Nawab commanded by his brother, although aided by a party of forty English, most of whom, after a gallant resistance were slain in the encounter.

The Carnatic thus once more cleared of active enemies Duplex again bent all his energies to the capture of Trichinopoly. The troops that had been on the Punar were accordingly despatched to reinforce those in Seringham—a measure by which the French force in that island was raised to 400 Europeans and 1,500 drilled sepoys. Their arrival at that place combined with the inaction of Lawrence to incite Astruc to vigorous measures. Marching out of Seringham, therefore he crossed the Cauveri and took up a position to the south of Trichinopoly, a little to the north of the English camp.

Learning next morning that Major Lawrence was confined to the city by ill health Astruc profited by his absence to take possession of some heights about a mile south of and commanding the English camp. These heights known as the Five Rocks being guarded only by sepoys Astruc easily carried them. He at once diligently set to work to fortify them and succeeded so well that when Lawrence, hearing of their loss moved out to endeavour to recover them he was repulsed and compelled to retire to a position about a quarter of a mile nearer the town out of reach of the enemy's fire.

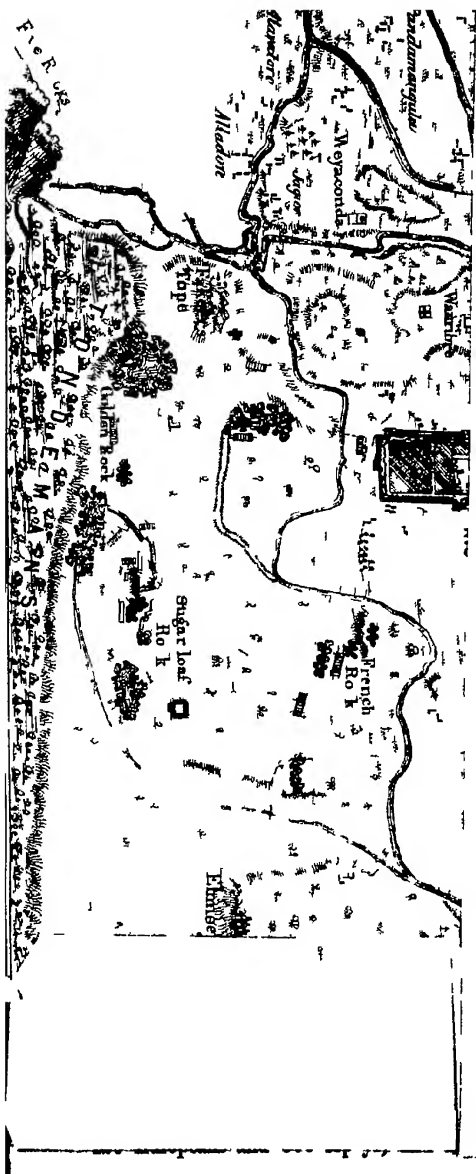
This bold and successful manœuvre on the part of Astruc gave an immense advantage to the French. Their position at the Five Rocks was not only unassailable but it was the key of the surrounding country. It enabled them to intercept all the supplies destined for the garrison and to bar a passage to the enemy's convoys. The advantage they possessed in cavalry seemed to render any movement on the part of Lawrence impossible. Nor did the idea of a general action present to the mind of the English leader any impression that it would better his position. Sickness and exposure had worked with such effect upon his garrison, that he was unable to bring more than 500 Europeans into the field. To support these he had but 1,300 sepoys, and 100 horse,—the rest of his native allies remaining in the

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men on the rock. So much time, however, had been lost in turning out, that he had scarcely covered half the distance between his camp and the rock, before the position had been carried by the French. Scarcely too had he endured the mortification of seeing the flag of France waving over its summit, when the fire of the French artillery from either flank of the base of the rock showed him that the whole force of the enemy had arrived to repel any attack that might be made to recover it.

The loss of the rock and the extraordinary danger of his own position became evident to the mind of Lawrence at one and the same moment. What was he to do? To retire was to expose himself to almost certain destruction for his retreat would be harassed and impeded by the crowds of Mahratta horsemen who were even then threatening his battalion. To advance was to advance in the face of a triumphant enemy possessing a strong position vastly superior in numbers. It appeared indeed but a choice of deaths. Thus seemed to think Lawrence. For a moment he halted though but for a moment only. That brief interval was sufficient to bring him to a resolution worthy of himself worthy of the nation to which he belonged. Under all doubtful circumstances to attack, is a principle which should be stamped upon the mind of every commander. Especially when retreat and attack present alike sombre aspects should the general recollect that the one encourages the other demoralises the one ensures defeat the other at least offers a chance of success. It is at the very worst better to die advancing than retreating, to command the respect of the enemy rather than to afford him an opportunity for the display of his contempt with its concomitant encouragement to his soldiers.

It is probable that some such thoughts coursed through the mind of Lawrence, as after that momentary halt he detached a chosen body of grenadiers and sepoys to storm the hill on its front, whilst he himself moved rapidly against the main body of the French drawn up on the left of its base. It was a heroic resolve heroically carried out. The grenadiers and sepoys clambered up the hill without pulling trigger, and reaching the summit, charged the French stationed there with so much vigour and impetuosity that they drove them headlong down on the opposite side. Meanwhile Astruc noting the advance of Lawrence but not the movement of the grenadiers, had drawn up his men with their right resting on the left spur of the rock which, he deemed, covered his flank. Opposing thus his own line to the English, who by this time were within fifty yards of him, he ordered the Mahratta horse and his native allies to move up and take them in flank and rear. Their destruction

seemed to him to be, beyond question, inevitable. But just as his arrangements were about to take effect, the fire of the English grenadiers from the rock on his right flank startled and discomposed his line and before they could recover from their surprise, a volley from the English followed by a bayonet-charge completed their confusion. The French officers and conspicuously amongst them the gallant Astruc himself, exerted themselves to restore the battle, but it was in vain. Completely panic stricken by the suddenness of the surprise at the moment when victory seemed certain the French soldiers hurried from the field leaving it to Morari Rao and his Mahrattas to cover their retreat. This service was performed by these famous horsemen with their usual gallantry. They even indeed attempted to dispute the field with the English when, three hours later Major Lawrence moved off to his old position with the two French guns—the trophies of the day,—which he had captured. But the little body of English men formed in a moving square, repulsed every attack and finally halting poured in so continuous a fire upon the masses that they broke and fled in all directions.

It is impossible to over-estimate the service which Major Lawrence rendered his country on this eventful day. But for his unsurpassed coolness and presence of mind Trichinopoly would have fallen and with it all the hard earned conquests of the previous year. Fortunate indeed would he have been if in the presence of the swarming Mahratta cavalry and the French troops flushed with victory he had escaped the fate of Law. His merit on this occasion was the greater because the French leader Astruc committed no glaring mistake. His plan was well conceived and well executed. He could not imagine that his soldiers would give up the place they had won almost without a blow. He acted throughout with courage and judgment and though forced to succumb it was in consequence of an event which it had been impossible to foresee and against which he could not have provided. The greater honour is on that account due to the Englishman who in a sudden and dangerous crisis, elected to dare all in the face of an overpowering enemy rather than to yield to him the field!

Nor is it possible to leave this subject without a word with respect to those gallant troops who followed him so nobly. Those men had been trained by Clive and by Lawrence himself to the same state of perfection attained many years later by the veterans of Wellington. They were men who could be trusted to perform any service,—men who regarded neither difficulties nor numbers who asked merely to be shown the position of the enemy and to be told to attack it. No finer feat

of arms has been performed in any part of the world than the assault by a handful of grenadiers of the Golden Rock, held by an enemy that had just conquered it, and whose army was formed up at its base! The attempt alone was sufficient to intimidate an enemy whose *morale* was inferior, who had not learned by experience that the one way to conquer was to move straight on. It was, in fact, one of those deeds of heroism which deserves to be recorded in the archives of a nation's history, never to be suffered, as has been the case with this, to fall into oblivion and neglect \*

The French after their defeat retreated to the Fukeer's Tope, thence to continue the system of blockade which they had inaugurated. Astruc after his defeat had resigned his command, and had proceeded to Pondichery. His successor M. Brennier, determined to attempt to effect by blockade the object that force had failed to compass. He succeeded indeed in reducing the townspeople to extremities: the price of rice speedily rose to one rupee the pound; of firewood there was an absolute want: the city became rapidly deserted by its inhabitants who preferred even the risk of attack from the enemy to death from starvation. In his chief object, however, Brennier had no better fortune than his predecessor, for Lawrence, determined to employ every possible means to avert disaster, moved with the main body of his army in the direction of Tanjore, leaving Dalton to defend the city.

On learning this movement on the part of Lawrence Brennier proposed to himself two plans—the first to storm Trichinopoly whilst so weakly guarded—the second to move upon Lawrence with his whole force and destroy him. But unfortunately for his own purposes he allowed his mind to rest upon both objects at the same time, instead of concentrating all his energies upon one. Thus the better to carry out the first he sent into the town a devoted Frenchman named de Cattans, who engaged to act the part of a deserter, and whilst so employed to

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\* The story is told at length by Mr. Orme, Colonel Wilks, and by Major Lawrence. Their works however published at intervals from upwards of half a century to nearly ninety years ago are scarcely available for the general reader. Mr. Mill describes the whole campaign of 1753 in nineteen lines, and makes no particular allusion to this action. Barchou de Penhoen is more just to his adversaries than Mr. Mill to his friends. He writes—Lawrence knowing how much he could depend upon his troops “marched boldly against the French, and after an obstinate and bloody combat, remained master of the field of battle.” It will not then be denied that this gallant action has, with modern historians, fallen into oblivion and neglect.

make drawings of all the internal defences and to indicate the weak parts of the fortifications. It happened however that de Cattans was discovered and obtained a promise of his life solely on the condition that he should indicate to the French leader the strongest parts of the fortress as those which were the weakest and least guarded. This was accordingly done.\* So much time however had passed in the interval that before these papers reached Brennier he was entirely engrossed by the other plan — the interception and attack of Major Lawrence who he heard was escorting a large convoy of provisions from his camp near Tanjore into Trichinopoly. It was of the utmost consequence to the French that this movement should not succeed.

Accordingly on the morning of the 18th August Brennier moved from his camp and took up an extended position stretching from Weyconda on the south west to the French Rock on the south-east of the city — the points the French occupied in force being Weyconda itself next to that the Golden Rock — the scene of the defeat of Astruc but of which in the absence of Lawrence they had taken possession — the Sugarloaf Rock distant about half a mile from it and the French Rock. Their infantry and artillery were strongly posted at the Golden and Sugarloaf Rocks the space between the Golden Rock and the French Rock was filled by swarms of cavalry there was a small detachment at Elmiseram whilst Weyconda was held by sepoys the intervening spaces being filled by masses of irregular troops, whose line stretched even to the banks of the Cauvery. In this position, occupying all the strong posts Brennier believed he could intercept and destroy the English force burdened as it was with a large convoy.

But the English had advantages that he knew not of. It was true that their force was burdened with a convoy but it was not less so that whilst encamped near Tanjore Lawrence had received a reinforcement not only of 5 000 Tanjoreans but of 170 Europeans and 300 sepoys from Fort St David. But that was not all. By means of the high tower in the centre of the city, Dalton was able to observe all the movements of the French and to communicate them to Lawrence. This he did not fail to do on the present occasion. The English leader marched to the attack therefore not only at the head of a body of Europeans considerably larger than that of the enemy but with almost as perfect a knowledge of his movements as if he had been an officer on Brennier's staff.

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\* De Cattans was nevertheless hanged as a spy in sight of the French force on the return of Major Lawrence to the city.

It will have been noticed that the two rocks, called the Golden and Sugarloaf, formed the key of the French position. The Golden Rock was however, by far the most important of the two as it commanded the entire country between it and the city, and Brennier ought to have held it at all costs. Lawrence knowing its importance determined after depositing his convoy in safety to direct on it his main attack. The better however to delude Brennier he halted his troops in front of the Sugarloaf Rock and made all his dispositions as if to attack it. Brennier, completely deceived believing that he was to be attacked on the Sugarloaf Rock by Lawrence's entire force sent hurried orders that the greater part of the force on the Golden Rock should be despatched to reinforce him. Lawrence gave him plenty of time to carry out this movement but it had no sooner been effected than he detached his grenadiers and 800 sepoys to seize the Golden Rock. This they did without much difficulty. Before however it had been accomplished Brennier noticed the movement. Then too late perceiving his error he sent a detachment to preserve or to recover it. This detachment finding the rock lost did not attempt to recover it but taking up a position on some high ground between the two rocks, opened a very galling fire on the English. Lawrence noticing this, conceived the idea of cutting off and destroying this detachment before it could be assisted by the main body which after making a slight forward movement remained as if paralysed on the slopes of the Sugarloaf Rock. He accordingly detached five hundred men natives and Europeans for this purpose. They advanced without guns in the face of a heavy fire of artillery which mowed down many of them. This caused a hesitation on the part of their leader but Lawrence perceiving it ran out to them himself and led them to the charge. At this moment also Dalton who from the tower within Trichinopoly had watched the progress of the fight hastened to the ground with his detachment and two field pieces and attacked the French in rear. Separated from their main body which all this time remained in an extraordinary state of inaction the French detachment retreated to Weyconda not however till they had inflicted and suffered heavy loss. Brennier whose earlier movement might have saved the day no sooner beheld the retreat of his detachment than seeming to recover himself he advanced with his main body to attack the victorious English. It was however too late, for his troops disheartened by the retreat of their comrades, and by the sight of the English in force on both flanks declined the combat, and retreated, as fast as possible, to the Five Rocks, and thence followed their

comrades in disorder to Weyconda. The Tanjorean cavalry which might have handled them severely, feared even in their retreat, to attack the soldiers of France. They contented themselves with reducing Elmiseram which was but slightly guarded.

This second battle before Trichinopoly cost the English 40, the French 100 Europeans and proved not less than the first the superior generalship of the English leader and the higher *morale* of his soldiers. It is difficult to imagine a conduct more imbecile than that exhibited by Brennier. He allowed himself to become the dupe of the most transparent stratagem and its success so confounded him that he seemed incapable of giving any orders until it was too late to retrieve his vanished fortunes. It is not surprising that the French soldiers should display their want of confidence in such a leader.

Meanwhile, after the action the French concentrated in Weyconda threw up intrenchments as though prepared to defend it. Lawrence whose supply of provisions had become again exhausted advanced a few days later to the Five Rocks and on the 4th September made as if he would attack Weyconda. Brennier totally demoralised did not ever attempt the defence of the place but retreated hurriedly and in disorder to Mootachellinoor on the banks of the Cauveri a position which assured his communications with Serinham. Here to his surprise he was joined by an important reinforcement of 400 Europeans 2 000 sepoys and six guns under M. Astruc and 3 000 tried Mahratta cavalry under Morari Rao. Astruc at once re-assumed the command of the French force.

This reinforcement ought to have changed the fortune of the campaign. The French soldiers of which it was partly composed were men who had but recently arrived from the Isle of France and who had been engaged during the few subsequent weeks in overrunning the Carnatic. They were free from the discouragement that had fallen on the others and should have been employed on the offensive before they had become inoculated by the despondency that reigned in the camp. But ill-success had made Astruc over cautious. The third day after the junction he led the combined force towards the south and took possession of the Five Rocks and the Golden and Sugarloaf Rocks recommencing that system of blockade which had twice before brought the English to such straits. Lawrence on his part moved towards Elmiseram alike with a view to cover his convoys and to effect a junction with a fresh reinforcement of Europeans then shortly expected. In such a position it was the policy of the French to avail themselves of their superior numbers to attack the English. The occasion

was favourable. Morari Rao in particular urged it upon them but their councils were divided, and Astruc himself was averse to appeal to the arbitrament of the sword. He confined himself, therefore to intercepting supplies and attacking convoys whilst he hurried on the defences he was throwing up at the Golden and Sugarloaf Rocks. This was acting the policy of Lawrence. This officer remained in the open plain, amusing the French by feigned attacks till the 27th September. On that date he was joined by 237\* Europeans and 500 sepoys. As bold as his adversary was timid, he at once determined to attempt the storm of the French intrenchments before they should be quite finished. Astruc had like Brennier before him, placed the greater part of his force on the Sugarloaf Rock the intrenchments of which had been completed on three sides, to the Golden Rock he had detached 100 Europeans 600 sepoys, and two guns intending to fortify that also. The space between the rocks and all around them was occupied by the Mahrattas and Mysoreans. Astruc hoped by holding an impregnable position here, to blockade the English on three sides, whilst Dupleix should induce the King of Tanjore to renounce their alliance. This would complete the investment and ensure the fall of Trichinopoly.

Such was the state of affairs when on the 27th September, the detachment under Captains Ridge and Calliand joined Lawrence. That officer resolved to attack with as little delay as possible. Moving accordingly on the morning of the 1st October to the Fukeer's Tope he drew up his men and offered battle. Astruc, however having declined it, he encamped on the ground on which he was drawn up. But before break of day on the following morning, he advanced at the head of 600 Europeans, six guns, and 2 000 sepoys towards the Golden rock, assaulted it in three columns before he had been perceived, and carried it without giving the French leisure to fire their two guns, which were captured loaded. Only wanting to re-form Lawrence then advanced quickly towards the Sugarloaf Rock, his men shouting and drums beating the Mysoreans fleeing before them. Here, however in front of unfortified face, the French were drawn up to receive him, with a strong body of sepoys on their left. These men, however, would appear to have been disheartened by the sight of the fugitive Mysoreans escaping from the English, as well as by the shouts of the latter, for they gave way without striking a blow.

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\* One of the officers with these was Captain Calliand a name subsequently famous in Anglo-Indian warfare.

The right division of the English following them up, discovered the left flank of the French unguarded. They, therefore, wheeled to the left, and took their line in flank at the same moment that the two other divisions charged it in front. Stationary as they were, the French could not stand this double attack. In vain did Astruc exert himself to restore the battle. The English pressed on so hotly that rallying was impossible. Broken and divided fleeing in disorder and dismay, the scattered remnants of the French force made no halt till they had placed the waters of the Cauveri between themselves and their pursuers.

This great victory gained by the superior boldness and daring of the English leader was decisive. Eleven pieces of cannon, one hundred and eleven prisoners amongst whom were M. Astruc and ten officers, 200 killed and wounded testified to its importance. On their side the English lost but forty men. Nor were its results on Trichinopoly less favourable to the English. That city was at once delivered from the horror of scarcity. For whilst the main body of the French took refuge cowed and paralysed in Seringham. Major Lawrence sweeping their detachments from the country south of the Cauveri poured supplies into the city and then moved himself with the main body of his troops to Coladdy on the north bank of the Cauveri within the territories of Tanjore. In this position we must leave the hostile parties the French baffled and humiliated without confidence in themselves or in their leaders the English proud of themselves proud of the general who had three times led them to decisive victory proud likewise of their achievements confident and secure as to the future —here we must leave them to return once again to the action of the Governor whose great plans had thus been so strangely baffled.

Whilst these tremendous conflicts were going on in the vicinity of Trichinopoly Duplex continuing to feed and to strengthen his armies before that place had been exerting himself to the utmost to restore peace to the Carnatic. To this course he had been moved by several concurring reasons. The Directors of the French Company and the French Ministers had never ceased to urge it upon him. The continued warfare from which so much had been expected drained the pockets of the shareholders a result ill calculated to satisfy those who looked only for dividends. The contest which, Duplex had declared over and over again, could not possibly last long and could not end but in the elevation of France to a pitch of unprecedented glory, seemed to the Directors likely to be spun out indefinitely and to end in humiliation rather than in advantage. In that august body the want of immediate success on the part of Duplex



had produced the usual results. Those who had long been envious of his success now joined the faction that was really alarmed, to agitate for an end to such a state of things. The longer the war lasted the more powerful and persistent became the adherents of the party in favour of peace at any price.

But that was not the only reason. Duplex was himself most anxious for peace with the English if only to give him time to consolidate his arrangements with the native powers to obtain from his European rivals an acknowledgment of his right to the territories conceded to him by the representatives of the Mogul. He had previously in February, 1752, addressed Mr Saunders with this object but the answer he received not having been of a nature to encourage him in the hope of a successful result he had allowed the subject to drop. In the July of the following year however urged by the considerations to which we have adverted as well as by the pressing solicitations of Bussy who by an engagement to become his stepson had but just acquired a fresh right to advise him he attempted to renew the negotiation. Saunders met him in what may be termed a conciliatory spirit if we have regard only to the main object proposed to be attained. But the course of their correspondence soon showed that though they equally wished for peace the rival powers held very different ideas as to the conditions on which that peace was alone attainable. Duplex insisted on the recognition by the English of himself as Nawab of the Carnatic—an office which had been bestowed upon him by the Subadar and been confirmed he asserted, by the Mogul Emperor. The English Governor on the other hand loudly asserted the claims of Mahomed Ali. Under these circumstances it would appear that whilst both governors continued to negotiate they felt alike strongly that the terms of the treaty would be decided, not by their arguments or protests by the validity of the parchments they displayed or of the patents promulgated in their favour but by the armies which were then contending for the possession of Trichinopoly. This fact alone is sufficient to account for the perseverance constancy and energy displayed by Mr Saunders in sending reinforcements to Lawrence, and by Duplex in the despatch of every available soldier to strengthen the forces of Brennier and Astruc.

It will readily be conceded we think, that having regard to the number of European troops he despatched to the scene of action, and the largely preponderating force and superior excellence, of his native allies, Duplex had good reason to hope for a decided success before Trichinopoly. He at least had strained the resources of Pondichery to assure himself of such a result,

and it was not for him to anticipate that a fatality would continue to be inseparable from the operations of the French leaders before that place. He was not a man to be easily discouraged. He had replied to the first and second battles of the Golden Rock by pouring in fresh reinforcements and urging his generals to renewed exertions. When even the news reached him of the third and most fatal defeat on that fatal ground he did not despair. That intelligence on the contrary only nerved him up to make another vigorous effort conducted with more subtlety more daring than any of the others. His plan was whilst still continuing to negotiate with Saunders to send secretly to Seringham the last reinforcements he had received from Europe with instructions to their commander to use them at once to attempt the storm of Trichinopoly whilst Lawrence was resting with the main body of his forces, at Coladdy fifteen miles distant.

In pursuance of this determination 300 Europeans and 1200 sepoys were despatched from Pondichery early in October under the command of M de Mainville. They arrived at Seringham on the 21st. The better to conceal his intentions Mainville endeavoured and very successfully to conceal the fact from the English garrison and from Lawrence. He did not even endeavour to intercept the supplies of the garrison but employed his whole time in preparing for the meditated enterprise. At length, on the 8th December all his arrangements having been made without any suspicion existing on the part of the English Mainville determined to put his plan into execution. His orders were clear and precise. 600 Europeans supported by 200 more and the sepoys were to attack and carry the work covering the gateway known as Dalton's battery. As there were here but fifty sepoys Mainville anticipated that this could be accomplished easily and without firing a shot. He therefore gave the strictest orders to abstain from firing. This work carried without alarming the garrison, it was determined to dash round the traverses of which there were two and apply a petard to the gate of the town or should that fail to attempt to escalate—the walls here being but eighteen feet above the rock—for this purpose ladders had been prepared.

Following this arrangement Mainville crossed the Cauveri at 8 o'clock on the morning of the 9th and succeeded in reaching the base of the outwork without having been perceived. The 600 Frenchmen escalated this place and surprised the sepoys, whom they found mostly asleep. Had they then but pushed forward had they obeyed Mainville's instructions to abstain from firing, nothing could have saved Trichinopoly. But

instead of thus acting, their evil genius prompted them to turn two of the 12 pounders which they had captured and found loaded against the walls of the town. They accompanied this fire by a volley of small arms and by shouts of *Vive le roi*.

The effect of this fire was to rouse the garrison. Under orders received from Captain Killpatrick, the commandant, detachments instantly proceeded to their respective alarm posts ready to receive the enemy. Meanwhile the French, after their insane and useless volley, pressed along the passage round the traverses, and under the guidance of an English deserter followed closely by two men carrying petards had arrived within a short distance of the gate—the exact locality of which, however, was known only to the deserter. Whilst they were advancing, the English had hurried to the gate, and had commenced an indiscriminate fire into the passage leading up to it. The night was dark, and they could take no aim, nevertheless their first fire killed the English deserter and the two petardiers when within a few paces of them. The others not knowing exactly what had happened began after some little confusion consequent on the darkness to attempt the escalade. Their ladders however had suffered so much from the enemy's fire and from other causes that they had but a small number available. Those that they had were nevertheless boldly planted, and an officer preceded by a drummer and followed by his men led the way up one of them. The drummer however was killed the officer pulled into the town and the ladder thrown back. Others were similarly treated until having lost all their ladders without ropes or any means to retreat down the rock they had ascended exposed to the fire of the enemy without being able to return it the French were driven to despair. They could not even make known to the garrison their wish to surrender. For some hours longer, hiding themselves as best they could still exposed on the least movement to a continued fire, they were left in the most pitiable position. When at last day dawned it was only that the greater part of this large force which had set out with such hopes of victory which had had victory within its grasp, might surrender, *en masse* prisoners of war. Of the entire body of 600 men eight officers and 364 men were taken prisoners, many were wounded, one officer and 40 men were killed, the remainder nearly 200 in number jumped down from the rock into the ditch, and though several of them were maimed in the attempt were carried off by their comrades.

It would seem in sober truth, that a fatality did attend all the French operations against Trichinopoly! This enterprise, well planned, up to a certain point well executed, certain then

under the conditions of ordinary prudence to succeed,—why did it fail? What was it that prompted that ill timed and useless volley? The second query is an answer to the first, to the second itself it is beyond our power to reply. We must content ourselves with remarking that that foolish act of a few foolish men changed entirely the face of events. It not only by its consequences took away from the French the hope of ever gaining Trichinopoly \* it not only gave all the triumphs of the campaign to the English but it was the main cause of that humiliating treaty in which, but a few months later, France gave up the labour of years renounced the right even to aspire to dominion in the territories of Hindostan. What a lesson does not this story convey to soldiers—what a lesson to mankind in general! What a lesson never to turn, when in the pursuit of a great end either to the right or to the left, to allow no lighter thoughts no ideas of vain glory to move us off the direct path by following which with singleness of purpose we can alone hope to reach the desired goal!

To the views of Duplex the author of the plan although not responsible for any part of its execution the blow was fatal. Nor had it unfortunately for him come entirely unaccompanied by other disasters. Mortiz Ali had a little before been defeated before Trinomalee and Mahomed Komal, another French partisan before the pagoda of Tripetti. But this was the finishing stroke this it was that convinced Duplex of the necessity of at least entering into negotiations with the English governor. Far better for him to come to terms, even though they might be disadvantageous, than to see his best laid plans thwarted and ruined by the want on the part of those who were to execute them, of ordinary prudence and the commonest self-command.

Accordingly and with the hope rather than the expectation that that some practical result might arise from the meeting, Duplex proposed that commissioners should be appointed armed with full powers, to treat regarding an accommodation. To this the English Governor acceded and the little town of Sadras belonging to the Dutch nearly equi distant from Madras and Pondichery was fixed upon as the seat of conference.

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\* Major Lawrence writes. The scheme was well laid and had not French petulance made them too soon discover themselves they perhaps might have had time to execute their designs. Mr Orme writes that the assault exposed the city of Trichinopoly to the greatest risk it had run during the war. Col Wilks if the orders prohibiting firing had been obeyed the place must in a few minutes have been in possession of the French.

The English commissaries, Messrs Palk and Vassintart, arrived at this place on the 30th December, the French,—M Kerjean, M Bausset, and Father Lavaur the principal of the Jesuits — delayed by the non-arrival of passports from the English governor,—not till the 21st. The next day the conference held its fresh sitting. The English commissaries began by declaring that they had no propositions to make and none to listen to which did not comprehend the acknowledgment of Mahomed Ali as sole and legitimate master and Nawab of the Carnatic, or which did not guarantee to the King of Tanjore the full and entire possession of his kingdom.

The proposals of the French commissaries were in words much more moderate. They suggested that Madras should be quit of the annual ground rent due to the government of the Carnatic that Pondemaly and its dependencies should be ceded to the English Company that all the expenses of the war on the part of the English should be defrayed that the French Company should give to the English Company the necessary securities for freedom of commerce and that in consequence of these cessions the English Company should evacuate the countries and fortified places dependent on the Carnatic that for Mahomed Ali there should be provided a suitable governorship in some part of the Dekkan under the mutual guarantee of the French and English Companies that he should be considered quit of all monies due by him to the treasury of the Dekkan and that the king of Tanjore should be maintained in the possession of his territories under the guarantee of the two Companies. Such were the French propositions extremely moderate even conciliatory in their outward form but in reality no less favourable to French than were the counter proposals to English interests. The French scheme in fact, must be examined rather with reference to what it omitted than to its contents. We find in it no mention of the Subadar of the Dekkan none of the Nawab of the Carnatic. But the rival candidate for the last-named appointment being in it provided for the intention was clear to take it for granted that Salabut Jung would be acknowledged as Subadar, and his nominee Duplex, as Nawab of the Carnatic. Exactly then as the English proposition claimed all that the English had been contending for so did this of the French ask everything that Duplex had demanded from the very beginning. The English commissaries received the French propositions in silence, but at the next meeting of the conference they declared that their instructions forbade their even discussing any articles, until the two which they themselves had presented should have been subscribed to by the French deputies. To this the

French would by no means agree. They challenged Mr Vansittart and Mr Palk to show them any patent conferring upon Mahomed Ali the office of Nawab of the Carnatic they showed them that it was not an hereditary office that the father of Mahomed Ali had been appointed by the Subadar of his day and that his successors had on his demise given the office, originally to Chanda Sahib and secondly to Duplex and they produced several patents granted to the latter and a letter from the Great Mogul confirming all that Salabut Jung had granted in favour of Duplex. The English to this replied that Mahomed Ali had received his appointment from Nazir Jung and afterwards from Ghazee-ood deen but that the patents were at Trichinopoly the letter from the great Mogul they treated as a forgery. Something more was said but little to any purpose. That meeting was the last held by the conference. Finding it impossible to agree even upon preliminaries the English commissaries left on the 5th February for Madras, the French, three days later for Pondichery.

Duplex was the less inclined to abate any of the pretensions on this occasion for whilst the conference was sitting he received from Bussy the intelligence of that gift of the four Circars to the French Company the history of which we have already recorded. The possession of these rich provinces rendered him quite independent of English wishes. Better he argued to maintain war than to give up one iota of his just claims. He opposed no obstacle therefore to the breaking up of the conference but throughout the written communications which followed he adhered, without renouncing a single article to the rigid programme he had dictated to his agents at that assembly. When Saunders even yielded so far on his side as to concede in substance every claim of the French, with the exception of that which referred to the Nawabship of Carnatic, when even he agreed so to modify his claims in this respect, as to leave that office vacant on the understanding that Mahomed Ali should be appointed to it under the protection of the two Companies by Salabut Jung whom the English would then acknowledge Duplex haughtily rejected the proposal and insisted only the more strenuously on the validity of his own titles.

In the course of our history we have had many occasions to point to the versatility of intellect the untiring energy the varied resources under all circumstances the self-denial, the persistence, the patriotic devotion of this illustrious Frenchman. All these qualities he united indeed to an extent such as is seldom found in one man. But the same candour which has forced us to admit and to admire these great virtues, compels

us to lament the fatal obstinacy which influenced his conduct throughout this memorable negotiation Too clear it is, alas! that on this occasion he was guided, not by his genius, but by his passions His pride would not allow him to take that one retrograde step which he, more than most men would have known how to make the prelude of a further advance He had fought so long and so openly, so persistently for this empty title, therefore he would not lower himself by giving it up now,—now especially when the influence of Bussy at Hydrabad and the possession of the four *Cars* seemed to make him virtual master of the Dekkan Blind and fatal reasoning! His successes in the north ought to have made him more compliant, more yielding more anxious to conciliate He should have been content to bide his time There would not always be a Saunders and a Lawrence at Madras England had had its Moses, its Floyers, its Copes, and its Gingen, and might have them again He too, who had influenced every native with whom he had come in contact who had so bent to his will a Mozuffer Jung, a Chanda Sahib a Mortiz Ali, as to make them like clay in the hands of the potter, who had won the daring spirit of Morari Rao was he to despair of gaining a Mahomed Ali? Once independent free from the clutches of the English, as by this treaty he would have become and Mahomed Ali would speedily have fallen under the sway of that potent influence that irrefragable will Whilst then, as English men, we cannot but rejoice at the unyielding pride which preferred to risk everything rather than to yield one small portion of its pretensions we cannot but lament regarding the question abstractly, that so vast a genius should have been marred by this one great failing In similar circumstances Napoleon acted similarly In 1813 14, he too preferred the risk of the sacrifice of his throne to the certain sacrifice of the smallest of his pretensions The reason which prompted both these great rulers was the same It was simply we repeat this, that on an occasion requiring peculiarly a cool judgment and clear discrimination, they were both alike influenced by their passions!

Meanwhile, hostilities did not cease in the Carnatic Even before Trichinopoly the temporary success of the French arms seemed almost to justify Duplex in his policy of haughty persistence

After the failure of his attempt to surprise Trichinopoly, *Mainville* had withdrawn his parties within Seringham, and there awaited reinforcements These Duplex with his usual promptitude, had sent him On their arrival, *Mainville* resolved

to strike another blow at his enemy. He had observed that the guards which escorted convoys periodically sent into the city had gradually become smaller. Formerly Lawrence had made a point of attending them with his whole army, but, satisfied apparently of the inaction of the French, he had latterly remained himself in camp, sending only a much smaller party with the convoys. Having noted this, Mainville determined to surprise and attack the next convoy regarding which he might receive tidings. Intelligence having reached him very soon afterwards, that a particularly large convoy escorted by only 180 Europeans, 800 sepoys and four guns would endeavour to make its way into the city from Killahcottah, a small fort on the south of the Cauveri about twelve miles from Trichinopoly on the early morning of the 26th February, he made the following preparations to intercept them. Between Killahcottah and the village of Coutapara a distance of five miles, the ground covered with trees and underwood afforded cover for a large body of men. Here accordingly he sent 12 000 horse under Morari Rao and Innis Khan with instructions to lay in ambush about two miles beyond Coutapara and not to attack the convoy until at least half its length should have passed them and it should have been attacked in front by the French. He himself with 400 French and 6 000 sepoys, took post in front of Coutapara at the point where the wood debouches into the plain. These dispositions having been made on the evening of the 25th, he anxiously watched the result.

The morning of the 26th February had already dawned, and yet no convoy had appeared. Half an hour later however, a small platoon was seen advancing followed by the carts and bullocks in single file, the soldiers marching also singly and unsuspecting of danger on either side. They reached the point where Morari Rao was posted, they passed it even not making, though they had seen some native horsemen in the woods any change in their disposition. The French however were still two miles off, and Morari Rao anxious that the surprise should be complete, noting too the negligent manner of marching and fearing lest something might occur to give the alarm before the convoy should reach the French, determined to anticipate his orders. He accordingly sent to the parties he had posted in the wood to hold themselves in readiness to charge. He then gave the signal. The effect was electric. The English, without order or cohesion, their small body stretched along a long line of carts could offer no effectual resistance. They could only die at their posts. The Mahrattas galloping amongst them, attacked all who opposed them. The English still resisted,



however, until the French troops arriving offered them quarter. This was accepted. Of the whole force, 50 were killed, 138 of whom 100 were wounded were taken prisoners \*

This however was but a transient gleam of success. On the 23rd May a French force 700 strong supported by a large body of sepoys and Mahrattas was repulsed near the Sugar loaf Rock by a body of English much inferior in numbers, on one of those occasions when a victory on the part of the French would have terminated the war in those parts. Again however the tide turned. Mainville prompted by Dupleix, took the sudden resolution of abandoning his position before Trichinopoly, and of carrying the war into the enemy's country. Moving eastward accordingly he attacked and took Killahcottah, then possessed himself of Coiladdy. Here he caused the waters of the Cauveri to be diverted into the channel of the Coleroon with the view to distress the people of Tanjore. Having seen this done he moved back to Trichinopoly and took up the position at the Five Rocks whence he could best intercept the supplies destined for that city. Morari Rao about the same time completely defeated the army of the king of Tanjore. To cover the capital of the king of that country Major Lawrence had left his position near Trichinopoly leaving it feasible for Mainville to make the movement we have recorded. He was, at the time we are writing wistfully watching from Tanjore the movements of Mainville at the Five Rocks whilst—such is Oriental diplomacy—the secret agents of Dupleix had more than half succeeded in detaching the King whose country he was protecting from the English alliance!

It will be seen then that Dupleix had at least some reason for maintaining his pretensions in his negotiations with the English. Had he been an absolute prince we can scarcely doubt but that in the end his policy would have triumphed. The last ally of the English the king of Tanjore, was ready to abandon them, and notwithstanding the reverses of 1753, he still held a stronger position than ever before Trichinopoly in the middle of 1754. The famous grenadiers who had borne the brunt of all the victories of Lawrence had been killed or made prisoners, and his own troops resuming the offensive and victorious in more than one skirmish were threatening the possessions of the English and their allies on every vulnerable point. It had become, in fact a question with the latter whether the English alliance

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\* Amongst these men was the famous battalion of grenadiers which had borne the brunt of all Lawrence's battles

was worth maintaining at so great a risk to themselves, at the cost of so heavy a drain on the resources of their country

But when the state of affairs was thus favourable there came into action those other circumstances upon which Duplex ought to have but had not sufficiently counted. The success of Bussy in the north of Mainville and his partisans towards the south west were of little moment so long as he did not also possess the confidence of his masters in France. In those days when a communication to the Home Government could not reach France in a less a period than six or eight months, Duplex ought to have been prepared for the effect which the disasters of the previous year would probably have on a corporation in which a large minority was as he well knew, already hostile to himself. It was the consideration of the consequences likely to follow a long record of disasters all burdensome to the finances of the Company that should have powerfully influenced him in his dealing with the English governor. It is the more strange that he should have neglected to allow such a consideration to weigh with him because he well knew the jealousy to which his proceedings had given birth and he was aware that by success alone in India he could maintain his position with the Directors in France. Perhaps it was that he felt—and of this policy we have a memorable example in our own day—all the scorn of a great genius for men so inferior to him in all respects perhaps also he did not reckon to its fullest extent the extreme length to which human meanness and human ingratitude would not hesitate to have recourse. He evidently, conscious of his own deserving did not fear the result of any scrutiny. He had to deal however as we shall see with men to whom consciousness of deserving was but a phrase when the conduct which accompanied it did not exactly dovetail with their own paltry notions and petty ideas.

A party amongst the Direction in France had, indeed, been endeavouring for some time to compass his downfall. So far back as 1752 the complaints of Governor Saunders and his friends to their own Company regarding the boundless ambition and enormous views of Duplex had found an echo in the heart of the French Direction. It was in consequence of this that they had that same year despatched Mr. Duvalaer to London charged with full powers to negotiate in concert with the French ambassador at the Court of St. James' with the English Ministers regarding a basis upon which to settle affairs in the East. Both parties vehemently declared that they wished for peace, that their one aspiration was to engage in commercial

operations, to abstain from all interference in the affairs of the natives of India.

In the course of these negotiations the English Ministers, instructed by the India House, which again received its inspiration on this point from Governor Saunders and his friends, never ceased to attribute all the evils of which the two Companies complained to the one man who ruled at Pondichery. But for him, they declared there would have been no contests, no ruinous expenditure, no interference with commercial undertakings. He alone was responsible for all. These complaints, constantly repeated, could not fail to work upon the credulity of certain members of the French Company's Direction. These were simple enough to believe that their most deadly enemies and rivals were capable of giving them purely disinterested advice that they wished the removal of Duplex as much for the advantage of the French as of their own Company. We need scarcely observe that those tactics ought to have made the French more reluctant to part with the man whom their rivals would have removed. Passion however never reasons; it seeks rather excuses whereby to give a cloak to its own darling plans. In this instance it so worked upon the French Directors that a majority was gradually brought round to the idea that French and English interests would be alike consulted by removing from his post the man who was the firmest supporter of the former, the most determined foe of the latter.

It was not however, all at once that they fell into this snare. For a long time indeed, Duvalier continued to defend Duplex and to retort against Saunders the accusations which they piled upon the head of the French governor. But not the less insidiously did the poison work. Not the less did the impression gradually become disseminated, that Duplex was the sole obstacle to a good understanding. The prudent boldness of the English ministry favoured this view. Without actually declaring that they saw no hope of a cessation of hostilities so long as Duplex should remain governor, yet letting it plainly appear that such was their belief, they equipped four ships of war, embarked a full regiment on board and despatched them ostentatiously under the orders of Admiral Watson to the East Indies.

Well would 't have been for Duplex, well for France herself, if the French Company had been able to answer this demonstration by an assurance that peace had already been concluded between the two governments on the spot that there was no need for further negotiations. At any moment from July to December, 1758, it had been in the power of Duplex to have expedited

such a message. None however came, and the French Directors were brought at last to the determination to sacrifice this one man for, they professed to believe the benefit of the whole nation. They accepted therefore a proposition made by the English commissioners to the effect that both the governors, English as well as French should be recalled, and that in their place two commissaries should be nominated one by each nation to proceed direct to India there to place matters on such a footing that future warfare between the two settlements so long as their principals remained at peace should be impossible. In consequence of this resolve the French ministry nominated M Godeheu at one time member of council at Chandernagore to be commissary of the King to conclude peace and to verify and examine the accounts of his predecessor. From the Directors the same Godeheu received likewise his commission as Governor General of the French settlements. The English, more astute made no fresh nomination but sent out the necessary powers to Governor Saunders and the members of his council.

The first intelligence received by Duplex of these proceedings was contained in a letter from Godeheu himself from the Isle of France announcing his early departure from that place to co-operate with him as commissary of the King and of the Company in India. The letter was written in a modest and submissive tone the writer lamenting his own inexperience and expressing his earnest desire to be guided by the experience of his old friend. Whatever may have been the feeling of Duplex on receiving this communication it can scarcely be doubted but that its friendly tone and his personal knowledge of the writer must have tended to re-assure him. He had known Godeheu since his early youth and had ever befriended him. He had been his superior at Chandernagore where he had ever been treated by the young councillor with marked deference and respect. He had even on one occasion been the means of saving his life. After his departure from Chandernagore Godeheu had become a Director of the French Company and in that capacity had corresponded closely and intimately with Duplex. He had ever evinced towards him a devotion and an admiration that were quite unbounded.

The appointment of a man so befriended, so devoted, to act—as Duplex then believed,—solely as commissioner to bring about peace,—could have in it nothing to alarm the French governor. He did not know,—in fact he had had no opportunity of knowing,—that this man, seemingly so devoted, was one of those miserable vermin who seek to raise themselves by fawning on and flattering great men. He did not know that

all the time this Godeheu had been writing to him letters full of the most fulsome professions of friendship, he had been intriguing amongst the Directors for his downfall, in the hope to be himself appointed as his successor. He did not know that so far from desiring to aid him or to profit by his advice this Godeheu had asked for authority to send him home in disgrace and arrest but had been overruled by the Directors who had especially forbid him to use force or restraint except in the improbable event of the resistance on the part of Duplex to lawful authority. How could he know such things how even could he divine them? A noble and generous nature invariably revolts from the very suspicion of baseness. It appears to him too horrible too unnatural a degradation of intellect below the range of even the animal creation! Endowed himself with a lofty sense of honour and a warm sympathising nature, how could Duplex imagine that one whom he had treated as a friend and as a confidant could use that friendship and that confidence but to betray him?

But Duplex was not suffered to remain long in his self-deception. On the 1st August the ship *Duc de Bourgogne*, having Godeheu on board arrived in the roadstead of Pondichery. A letter was at once sent off to Duplex announcing his arrival and intimating that one other ship was accompanying him and that three more with 2 000 troops on board would follow in a few days. Duplex at once went to meet his ancient comrade. His reception however was most frigid. Godeheu declined to become his guest or even to land until a house should have been fitted up for him. He made over to Duplex however three documents—the first a letter from himself containing profuse professions of anxiety to make his situation as little painful as possible—the second a demand for a full report on the state of affairs in French India,—the third, an order from the King containing his recall. The first letter was probably written with the intention of diverting Duplex from offering as he feared he might armed resistance to his authority for on landing the next day in great pomp and splendour received with all deference by Duplex on the quay, he curtly informed him that he expected him to sail at once with his family for Europe. He then proceeded to the Council Chamber, and had his commission read out. The silence which followed this reading was interrupted by Duplex himself not indeed by querulous complaints or undignified protests but by the loyal cry of *Vive le Roi!*

It was on the 2nd August, 1754 that Duplex thus made over to Godeheu the command of that vast extent of territory

on Indian soil, which partly in actual tenure, partly by means of the influence he exercised he had gained for his country Ten weeks later the 14th October Duplex and his family bade a last adieu to the land to which he had devoted a life time The public acts by which that interval was distinguished belong to the career of M Godeheu and we shall treat of them under that head Of the conduct of Duplex during that period we will merely state here that it was distinguished by a loyalty an abnegation of self a devotion to the interests of the Company which had cast him off of which the history of the world gives few examples It was replied to on the contrary on the part of Godeheu by a spiteful arrogance an anxious desire to wound and annoy a determination if possible to ruin and dishonour the ex governor, such as could only have emanated from a mean and paltry spirit Not only did Godeheu as we shall see when discussing his public acts reject advice by following which he would have established French domination on a secure basis, but he ordered his commanders to preserve an inaction which saved the enemy from destruction simply because action would have justified the long pursued policy of Duplex But it was in his treatment of the pecuniary claims of Duplex on the Company that he showed the greatest malevolence. Unable to detect a single flaw in his accounts finding that even the private invitation on his part of accusations against the ex governor failed to bring against him a single tenable charge disappointed in the hope he had indulged of sending home in chains he resolved at all events to ruin him in his private fortune and to dismiss him a dependant and a beggar To a man so utterly unscrupulous the means were not wanting The examination of the accounts of the Company at Pondichery showed an amount due by it to Duplex of between six and seven millions of francs (£ 240 000 to £ 280 000) As soon as Godeheu ascertained this fact he forbade the commissaries he employed to proceed with the question of accounts compelling them merely to sign a certificate to the effect that the vouchers produced by Duplex had reference to the public accounts By this subterfuge he avoided placing on record an acknowledgment of the sums due to Duplex But this was not all We have before stated that Duplex had been in the habit of advancing to his native allies his own private fortune for the expenses of the war These advances had been made on the security of certain districts in the Carnatic, from the revenues of which they were repayable In fact, the agent of the native princes, by name Papiapoulé, had at this time in his possession an order

to make over to Dupleix the revenues of those districts, in payment of the sums due to him. At the time of Godeheu's arrival, some of these advances had been repaid others, however, to the amount of twenty two millions of francs (£880 000) were still standing over. At the rate however, at which they were then being paid in this sum would have been reimbursed during the following year 1755. Godeheu however, seeing in this a means of enriching the State at the expense of Dupleix chose to consider these advances as sums irregularly laid out by his predecessor for his own private advantage and not for the benefit of the State. He therefore suddenly seized Papiapoulé in his own private house placed him in confinement\* under circumstances most insulting to Dupleix deprived him of all his papers and farmed the revenues of the districts to another native for the sole benefit of the Company. In addition to this he refused to allow a bill drawn by the Company itself in favour of Dupleix to the amount of 422 606 francs (£16 904) to be cashed in Pondichery. Having thus effectually ruined him having exposed him to the claims of those who were his creditors, solely because on the credit of his character they had lent their money to the State Godeheu allowed to depart beggared though not dishonoured blasted in his fortune, cheated out of the fruits of his then ripening labours this by far the most illustrious of the illustrious men whom the France of Louis XV produced only to show how unworthy she was in her then degraded state, of a progeny so deserving.

"England" says a recent French writer,† "has been much admired and often cited for having resolved that great problem of how to govern at a distance of four thousand leagues, with some hundreds of civil functionaries and some thousands of military employés, her immense possessions in India. If there is much that is wonderful much that is bold and daring much political genius in this idea it must be admitted that the honour of having inaugurated it belongs to Dupleix and that England which in the present day reaps from it the profit and the glory, has had but to follow the paths which the genius of France opened out to her." Yes indeed! Now that the lapse of a century has cleared away the passions and prejudices of that exciting period—now that from the basis of accomplished facts we can gaze at the ideas and conceptions of the men who were the pioneers of European conquest on Indian soil,—there lives not a candid Englishman who

\* He remained in irons till released by Lally, in 1758

† M. Xavier Raymond.

will deny to the great French governor the credit of having been the first to grasp the necessity of establishing European predominance in Hindostan—to show practically how that predominance could be established and maintained. The work of Dupleix did not indeed last because it was his misfortune to be born at a season when his country was sunk in the lowest abyss of profligacy and misgovernment—when all the offices of the State had become the patronage of a licensed harlot when virtue and honour and truth were openly scoffed at and derided. It did not last because the besotted Government he served recalled him at the beck of the immemorial enemies of France just at the moment when his schemes were about to blossom into golden fruit. But the effect of those schemes survived him. The ground he had so well watered and fertilized the capabilities of which he had proved was almost immediately after his departure occupied by his rivals and occupied with the immense result which is one of the wonders of the present age.

Nor can we doubt that if Dupleix had had but two years more to mature his great schemes the rich heritage of Bengal would have fallen to him instead of to his rivals. The possession of the five Circars gave him an excellent basis from which to operate with the Nawab Nazim of Bengal. Who can doubt but that had Chandernagore been under his control in 1757 he would have hesitated to unite with Suraj ood-dowlah to crush the English settlement on the Hooghly or that he would have crushed it? Clive acted then as Dupleix with the prior opportunity would have acted before him. In this as on many subsequent occasions the spirit of the great Frenchman ruled in the camp of his rivals and successors.

It is impossible to deny to Dupleix the possession of some of the greatest qualities with which man has ever been endowed. He was a great administrator a diplomatist of the highest order, a splendid organiser a man who possessed supremely the power of influencing others. He had an intellect quick and subtle, yet large and capable of grasping an energy that nothing could abate a persistence a determination, that were proof against every shock of fortune. He possessed a noble, generous and sympathising nature, he was utterly incapable of envy or jealousy \* and was endowed besides with

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\* We have we would fain believe placed in its true light the real reason of the quarrel between Dupleix and La Bourdonnais, and have vindicated the character of the former from all the charges which the hatred and prejudices of the hour had heaped against him and which subsequent writers had repeated without examining them. No one ever charged him with being jealous of Bussy yet Bussy had a far greater influence than La Bourdonnais.



that equanimity of temper that enabled him to bear the greatest reverses the most cruel injustice towards himself, with resignation and composure. He was not indeed a general. He did not possess the taste for leading armies into the field. Yet he showed on many occasions—notably on the occasion of the siege of Pondichery by Boscawen—that he could not only stand fire but could defeat by his unassisted and natural skill, all the efforts of the enemy. The character of his government and the influence of his own presence are attested to by the English historian of that epoch writing as he was under the influence of the prejudices of the period. All his countrymen, writes Mr Orme concurred in thinking that his dismissal from the Government of Pondichery was the greatest detriment that could have happened to their interests in India.

When we think indeed how much he had accomplished—how he had built up the French power how he had gained for it an unparalleled influence and an enormous extension of territory—when we reflect that with half the 2 000 men that Godeheu brought out with him he could have crushed the English already reduced to extremities at Trichinopoly—we cannot but marvel at the blindness the infatuation the madness, that recalled him. The primary cause was no doubt, as we have stated, the degraded condition of the France of Louis XV. But there was yet, we believe another reason not entirely dependent upon the state of his country for we have seen it act under other rulers than Louis XV and under other governments than France. To borrow the words of the French historian \* “Dupleix had against him that crime of Genius which so many men have expiated by misery by exile, and by death.”

It was on the 14th October 1754 that Dupleix bade adieu to the country of his greatness. Baffled as he had been in his large schemes ruined as he was known to have been by the measures of Godeheu he was yet in spite of the declared hostility of that personage, followed to the place of embarkation by the principal officers and employés of Pondichery and by all the common people. Their generous hearts spoke out the universal feeling of regret at his departure. Their grief was far more eloquent infinitely more expressive, than could have been the smiles of a Pompadour!

Very briefly we propose to follow the disgraced governor to his last hour. Before he had landed in France, the minister

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\* *Histoire de la conquête de l'Inde par l'Angleterre* par le Baron Barchou de Penhoen

Machault, fearing, in the then state of European politics, the result in India of the recall of Duplex, and hoping it might not have been actually accomplished had sent to Duplex a despatch in which he affected to treat him as governor, Godeheu merely as commissary of the king to make peace. This despatch reached Pondichery after Duplex had left it though it had been expedited by the minister in the hope that it would prevent his departure. His arrival therefore in France was looked upon in the light of a misfortune and it appeared for some time not improbable that he might even be reinstated in his post. He was, therefore, well received and flattered with hopes of a settlement of his claims. As soon however as the intelligence of the disgraceful peace made by Godeheu—to which we shall presently refer—reached France and the disagreements with England were consequently regarded as settled the ministry at once began to treat Duplex as man from whom nothing more could be hoped but who on his part would importune them with claims. They therefore or rather acting with them the Court of Directors at once changed their manner towards him and absolutely refused to take his accounts into consideration. In vain did he remonstrate. In vain did he point out that he was persecuted by creditors who were simply creditors because on his security they had advanced their funds to the government of Pondichery. In vain did he write a memoir setting forth in a modest but graphic style all he had done the sums of money he had advanced. For seven years he urged and pressed his claims supporting them by incontestable proofs. He received not even the shadow of redress. Nay more. Many of those whom he had befriended in his prosperity, and who had advanced sums to the Pondichery government, sued him for repayment. Even Bussy who was to have been his stepson deserted him in his extremity broke off the marriage and appeared in the list of claimants against him. To such a state of misery was he reduced that three months before he died his house was in the occupation of bailiffs. Three days before that sad event he thus wrote in his memoir “I have sacrificed my youth my fortune my life, to enrich my nation ‘ in Asia. Unfortunate friends too weak relations devoted all ‘ their property to the success of my projects. They are now ‘ in misery and want. I have submitted to all the judiciary ‘ forms. I have demanded as the last of the creditors, that ‘ which is due to me. My services are treated as fables my ‘ demand is denounced as ridiculous, I am treated as the vilest ‘ of mankind. I am in the most deplorable indigence; the ‘ little property that remained to me has been seized. I am ‘ compelled to ask for decrees for delay in order not to be

"dragged into prison." Thus wrote, three days before he died, the man who had done for France more than all her kings, beside whose exploits the deeds of her Condés, her Villars, her Turennes, sink into insignificance. The founder of an empire treated as the vilest of mankind, his just claims unattended to then unsettled even to this day, \* the man who acquired for France territories in the East larger than France herself treated as an importunate impostor! Not long could even his brave spirit endure such a contest. He died on the 10 November, 1764 †

Not the less will he rank with posterity as one of the greatest of Frenchmen not the less will even the descendants of his rivals in Hindostan place him on the same pedestal as the greatest of their own heroes—on the pedestal of Clive, of Warren Hastings and of Wellesley!

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\* Strange it is that considering the mutations France has herself gone through she should still have allowed these claims to remain unsettled. The Republic the first Empire the Restoration the Orleanists the second Republic and the second Empire must divide with the Bourbons the shame of this great scandal. We append an extract from the letter of the Paris correspondent of the *Globe* of the 17th May 1866 showing that even up to the time of his last descendant these claims had been neglected.

Another death which is worthy of record is that of the last descendant of the great Nabob Duplex the celebrated Governor of Pondicherry. The coat of arms granted him by Louis XV for the diplomatic triumphs gained by him over the English in India glittered for the last time over the portal of Saint Philippe du Roule as the modest coffin which contained the remains of the last of the Duplex was borne out to the cemetery. Of the great siege of Pondichery of the glory and magnificence of Duplex of his riches and his disgrace of his humiliation his poverty and miserable death nothing is remembered now. Even the *fête* which he had instituted at Pernan his native place to celebrate the raising of the siege of Pondichery has long been discontinued "for want of the funds which he had intended to be annually devoted to the dowry of one of the village maidens. He died in the most abject poverty after having had at his command whole multitudes of men and millions of rupees and the faithless agent charged by him with the settlement of the perpetual fund for the good work of which he had been dreaming for years beneath the hot scorching sun of India and amid the strife and bloodshed by which he was surrounded, never having sunk the money the celebration of the one glorious souvenir of his life that too has passed away and his very "name is now no more. When the *Ministère des Finances* was entered by the mob in 1830 the last appeal of Duplex imploring a settlement of his claim of 13 millions against the Government was thrown out amongst other papers scattered to the winds. It fell into the hands of the professor of philosophy at the College Louis le Grand who had it framed and glazed and hung up in his class room where it afterwards served as illustration to many and many a lesson on the vanity of riches and the varied conformation of the wings they make to themselves when they flee away.

† He died in a house in the Rue Neuve des Capucines on the site till recently occupied by the Foreign Office within a few doors of the official residence of the Company.

## SHORT NOTICES

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- 1 *The Speech of Lord Cranbourne in the House of Commons on the Amalgamation Question* Hansard 1866

THE boldness and good sense of Lord Cranbourne have annihilated Indian 'grievances' for ever. We trust that the odious word which he has sent down to Hades may never be revived. To such an extent had the weakness of his predecessors loosened the proper ties of subordination in this country, that a grievance monger had come to be tolerated as a sort of local institution, as an Indianized type of the American lobbyist. All this has passed away, thanks to the decision of the Tory Indian Minister and we have now, we would fain hope, done with grievances for ever.

To such an extent had this grievance mongering become a nuisance, that it prevented many honourable soldiers who entertained a strict idea of discipline, from bringing before the Government those points which not in consequence of the intentions of the Government but rather by reason of the very transformations through which the army has passed in the last few years pressed hardly upon themselves. It was peculiarly trying to these men to allow year after year to pass by without making any attempt to bring their views before the Government. We know, however that they did so, that they preferred to suffer personal inconvenience of no ordinary character to being classed with men who appeared, at least, to have banded together, to appeal from their Cæsar to the Parliament of which Cæsar was but a member. The decision of Lord Cranbourne has removed their scruples on this head. It is now open to those who feel that time has so altered the effect of many of the rules regarding Indian officers that the mode in which they work is the very opposite of that intended by those who originally drew them up, calmly and temperately to invite the attention of the Government they serve to the manner in which their interests have become injuriously affected during the last few years.

We confess that we have always considered that the time has arrived when some modification of the new Furlough Regulations has become necessary, especially since, more, certainly, from the action of time and the working of circumstances, than from deliberate design, the intention of those who framed those Regulations has ceased to be fulfilled. To illustrate our meaning we propose to give a short history of the new Furlough Rules and their action and to indicate the mode in which the anomalies which now appear to press hardly upon many officers may be remedied. It is not necessary in this view that we should do more than allude cursorily to the old Regulations which obtained prior to the 17 November 1854.

Before that date the officers of the Bengal Army were subject, with respect to leave to England and the colonies, to certain rules, generally known under the designation of the Old Furlough Regulations. Under these Regulations an officer was permitted a furlough of three years to Europe after ten years' service on the English pay of his rank. By this furlough he forfeited any appointment he might be holding, but he returned on the expiration of it to his place in his own regiment. The same rule applied in cases in which officers were forced to proceed to Europe on medical certificate but officers were allowed to proceed on sick leave for two years to the Cape of Good Hope the Mauritius, Australia, and Egypt retaining their appointments counting their leave as service and drawing for the entire period one half of the Staff salary of their appointments, in addition to Indian pay and allowances. These rules likewise permitted all leave taken in India to count as service for pension.

But on the 17th November, 1854, other rules were promulgated, which, under the title of "New Furlough Regulations," have gradually taken the place of the old rules, and constitute, with some alterations which will be presently referred to, the rules which govern the leave granted to officers of the Staff Corps.

Under these rules, officers were allowed furlough to Europe for two years after every ten years' actual service in India. In taking this furlough they forfeit their appointments, and come at once upon English pay. It was conceded however, that two years of leave out of twenty of Indian residence should count as service.

At the same time it was ruled that staff officers might proceed to England for six months, forfeiting Indian allowances, but without loss of appointment.

All leave taken in India or elsewhere, in excess of privilege leave was no longer permitted to count as service. With

respect to leave on medical certificate, the privilege of going for two years on Indian pay and allowances to the colonies, counting the time as service was withdrawn, but in lieu thereof officers were allowed to proceed on medical certificate to Europe for fifteen months, retaining their appointments, drawing for the first six months Indian pay and allowances, and a moiety of the Staff salary of their appointments, but for the last nine only English pay. All these rules, with respect to leave not counting as service, were to have retrospective effect.

It will be seen that these rules even at the time of their first promulgation, were particularly favourable to officers who fell sick but bore hardly even by comparison with the old rules on officers who remained at their posts of duty. Thus, under the old rules an officer was enabled, at intervals, to enjoy six months relaxation in the hills, counting the time as service. Under the new rules this last condition, fatal to the indulgence of the privilege was withdrawn. The three years' furlough of the old rules after ten years service was changed for two years after ten and an additional two after twenty years service a privilege of which few could avail themselves. The one counterbalancing advantage consisted in the permission to count two years leave out of twenty of duty as service.

The sick officer, on the contrary benefited largely by these rules. At intervals of three years he was allowed to proceed for fifteen months to Europe retaining his appointment, and receiving, by the grant of Indian allowances and half Staff for the first six months a sufficient sum to defray, to a great extent, the cost of the voyage to and fro.

The consequence was that applications for furlough diminished, whilst sick certificates to proceed to Europe greatly increased.

By General Orders of the 10th April 1861, the Staff Corps of the three Presidencies were constituted with effect from the preceding February. The Order directed that with one or two modifications the new Furlough Rules should be extended to the Staff Corps. Of these modifications one still further improved the condition of the sickly officers for it extended the period of sick leave to Europe from fifteen to twenty months. The other affected injuriously the prospects of all officers for it abolished the privilege of retirement on pension of rank after twenty two years' service.

But these modifications but slightly represent the effect which the action of the new Furlough Rules, combined with the change wrought by the Staff Corps in the constitution of the Army, has had on the prospects of officers who keep their

health and remain at their posts. What that effect is will now be shown.

The old and the new Furlough Regulations had this at least a common, that they were both designed for an Army containing irregular regimental organisation. It is true that both denied to an officer, who might take furlough to Europe on private affairs, the right to keep his appointment. But under a regimental organisation, this was seldom a real hardship. A Senior captain might, for instance, calculate that on the expiration of a furlough of three years' duration, he would return to India major of his regiment, with a fair chance—if he were known to be a good officer, with the certainty—of obtaining the command. In such a case and it was not an uncommon one, an officer would have returned from furlough to a better appointment than that which he had resigned to take furlough.

Even in the case of a Lieutenant or junior Captain but little real hardship was occasioned by this system. As no officer could take his furlough before he had served ten years and as, practically, but few took it at that period exactly, it followed that a Lieutenant taking it could almost always calculate on the probability of his returning from furlough a Captain most likely with two companies for him to take charge of. At all events every officer returned to a fixed position,—to his own place in his regiment—taking rank above all his juniors in the cadre of his regiment.

But the change in the organization of the army has entirely subverted this arrangement. The same, or nearly the same Furlough Rules apply, but under the new system they produce an effect not only very different from that brought about when a regimental system was in force, but it is scarcely too much to say, the very opposite of that which those who drew up the new Furlough Rules intended they should cause.

For under the present system, if an officer of fifteen or twenty years service, who happens to command a regiment or to hold any other Staff appointment, wishes to take furlough, he has the prospect before him of returning,—not to his appointment, not even to his regiment—but to—what is termed,—general duty. If a Captain, he is forced often to do duty with a regiment—not as under the regimental system in a fixed position senior on parade to all his juniors in rank,—but to a position which makes him, *de facto* junior to his juniors in rank, possessing no command,—a position which, by an officer conscious of deserving, is scarcely to be borne.

If a Field-officer, he is compelled to do general duty at a station, that is to say, he is liable to the very light station-duties

devolving upon a Field-officer, but no military duties, as such, are allotted to him; the position is one, not only pecuniarily trying but wounding to his self love, and coming, as it would, after holding the command of a regiment for many years, it would be almost heart breaking. In fact, it is so terrible in its prospects that very few officers have been found willing to subject themselves to the ordeal. They would rather altogether forego their furlough.

It thus has actually happened that the clause in the new Furlough Regulations granting furlough to officers of the Indian Army has become virtually a dead letter. All officers of the Staff Corps being Staff officers not one of them can take leave to England for a longer period than six months every ten years without subjecting himself to the consequences we have alluded to. The result is that with a few rare exceptions none of them do take furlough. Some endeavour to evade the rigour of the Regulations by trying for a medical certificate. Others more conscientious deny themselves the pleasure and profit of a visit to England, and remain at their posts. Very few take furlough.

Many remedies have been proposed for such a state of things, many extravagant almost all beyond reasonable expectations of fulfilment and therefore impracticable. Now no practical man would ask more of the Government than he thought the Government would be likely to grant. Before however we discuss the remedy we would suggest we would prefer to indicate some of the reasons why we think a change is desirable. Furlough to Europe in the first place forms or ought to form if it be properly considered part of the education of an officer. It has hitherto been the pride of the Indian Army that it has maintained itself, in point of efficiency on a par with the armies of Europe. But the officers of that Army have been very much aided in their efforts to bring about this result by the long furloughs of which they were in former days able to take advantage. It is unnecessary to allude to the benefits which a visit to Europe opens to an officer. At the very lowest estimate it opens his mind and widens the range of his ideas. All the improvements in military science alike in England and on the Continent may and often do come under his observation. After a residence of twelve or fifteen years in the stagnating atmosphere of India, accustomed only to its local politics and small personalities a visit to Europe is indeed in many cases, absolutely necessary, to make an officer thoroughly efficient. Yet under existing arrangements furlough is, as we have seen, practically denied to the Indian officer. The case is rendered more marked when it is contrasted with the rule



that obtains, in this respect, in the Royal Army. A Royal officer is permitted to proceed on leave to Europe, without any formal restriction as to length of service, provided only that his commanding officer can dispense with his services. His promotion goes on during his absence and he returns on the expiration of his leave, to the position he formerly held in his regiment. His *status* in fact is fixed and definite whilst that of the Indian officer who takes furlough is full of doubt and uncertainty.

It would be easy to point out at greater length the extent to which the State suffers by 'his practical denial of furlough to officers of the Staff Corps. For, if the officers are not allowed an opportunity of improving themselves the prohibition re-acts on the men whom they command. Enough, however has been indicated to show the tendency of such a course. It is a course too, be it remembered, which has only run for six years for it is, as we have shown, by the want of sympathy of the New Furlough Rules with the Staff Corps Regulations, that the present complication has arisen. It is evident likewise that the result of this complication is opposed to the principles which guided the liberal minded men who drew up the new Furlough Regulations. They certainly never contemplated it. In fact but for the amalgamation of the two armies the complication could never have arisen. When that measure was brought into action this point escaped notice. Experience alone, —the practical experience of the last six years,—has shown how injuriously the interests of the State and the interests of the officer are affected by it.

The remedy asked for is simple and will cause no expense to the State. It is not sought to interfere with the proper control of the Government over the action of their officers. On the contrary, we would make that control more real than it now is. It is not asked to grant the officer taking furlough any portion of his Indian allowances. We are rather of opinion that, furlough being essentially a holiday, it is for the officer to consider whether he can afford to indulge in it. It is merely urged, as a measure of fairness to the officer and as conducive to the interests of the State, that furlough should be placed on the same footing as sick certificate with regard to the retention of appointment for twenty months. Such a measure would bring the Staff Corps system into harmony with the old regimental system of the Indian, and with the existing regimental system of the Royal Army. It would permit an officer to return to the regiment he had left. The changes so prejudicial to the existence of good feeling between officers and men would be lessened. A

great deal of the existing distaste for Indian military service, with its many uncertainties and the ever present chance of being forced some day to become a "doing duty" officer, would thereby be obliterated.

We have said that no practical man would ask more of the Government than the Government would be likely to concede. One change, simple, feasible, and costing nothing, we have already indicated. But there is another connected with it, and second only to it in importance, and equally for the interest for the Government to grant. By the new Furlough Rules an officer is compelled—no matter what his length of service may be—to remain six years in India after his return from medical certificate before he can take furlough. How injuriously this rule affects an officer in many cases it is not difficult to imagine. We can picture to ourselves a conscientious officer who may have remained at his post twenty years without taking furlough or leave of any kind. Suddenly he is taken ill and forced to proceed to Europe on medical certificate. It is but seldom that he can enjoy such leave. During the greater portion of it, certainly he continues under the influence of the sickness which sent him home. But the sight of old faces and the renewal of old associations awaken within him feelings which may have been long dormant. He returns to India, his mind full of the wonders of Europe, anxious for the time when he may return in full strength to devote himself to the following up of ideas to which during his sick furlough, he was unable from ill health to devote himself. He finds however that the new Furlough Rules interpose six years of service between his return to India and his furlough. Although according to the letter of the law, he is allowed one furlough after ten years' service and another after twenty yet, because he has been so unfortunate as to fall sick, he is denied both of those furloughs. In fact the furlough due to him after ten years' service he cannot take till he has served nearly twenty-eight years. For to his previous twenty years' service he must add eighteen months spent on sick leave and six subsequent years to be passed in India. Now we say this is an anomaly that was never contemplated by those who framed the new Furlough Rules. It is an anomaly that appeals for alteration—an anomaly, which, we believe, the enlightened government of Lord Cranbourne will no longer allow to continue.

If we might presume to suggest the shape which these two necessary reforms might take, we would submit that every end would be attained by the simple promulgation of an order that for the future the Government will be prepared to

grant furloughs to all officers, without reference to the length of their service or to any period that may have elapsed subsequently to their last visit to Europe, but solely with reference to the ability of the Government to allow them, without inconvenience to proceed to England, that such furloughs should be of twenty months' duration and should carry with them retention of appointments. This change would in fact supplement and seal amalgamation by placing the two divisions of the Army on the same footing with respect to leave,—a consideration of itself of no small importance.

If such a plan would not content every man affected by the present system, it would at all events satisfy every reasonable desire it has besides the advantage of being a plan which would bring officers more directly under the control of the Government which would conduce more than any imaginable measure to attract the better class of officers to enter the Indian service, which is attended with no expense and which the Government, therefore, would probably not object to grant

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- 2 *The Progress of England*, a Poem to which are appended Notes on the Organization of the British Empire, on British Policy in India on the Foreign Policy of the British Empire and on the Organization of the United States Indian Edition Calcutta 1866

THE author of this 'Song of Triumph' is a bold man. Not only has he the hardihood to assert in his Preface that he has published his work without revision, but he aspires to bolder conceptions than the proudest and most arrogant monarch would dare to acknowledge. Alexander the Great, Charlemagne, Napoleon I such men in their struggles for universal dominion have usually placed some limit to their wildest schemes of conquest. In their loftiest flights there has been some obstacle beyond which their ambition dared not soar. But our author aims at carving the whole world to suit his fancy, and suffers neither mountain barrier nor rolling ocean to stop the impetuous current of his schemes. Not content with re-organizing the British Empire under such high sounding though somewhat pedantic names as Hochelaga, Hesperida, Cabotia, and Vascovia, he is rash enough to digress beyond our

own frontiers, and attempt to cut the Gordian knot of continental politics. And though the weapon wielded in the struggle is the pen and not the sword and these lofty conceptions only find a vent in poetic effusion yet these considerations serve perhaps to enhance the sense of their utter impracticability, and to justify our assertion that the writer is to say the least, a bold man.

To our own mind there seems something harsh and discordant in the attempt to combine and reconcile the material dictates of State policy with the soft conceptions of poetic imagery, to clothe the stern precepts of Machiavelli in the graceful drapery of the Muses. We have been accustomed to regard poetry as the spontaneous outburst of swelling emotion the inspired creation of human passion and fervour. Statesmanship on the other hand presupposes a calm and mature judgment, capable of exercising a wise and sober discretion. Pitt and Burke were by no means greatest among politicians when they ranked greatest among orators. The creations of fancy which are the chief charm of the one art are the chief impediment in the way of the other. An unimaginative poet is no poet at all, but as in the book before us we may have a little too much imagination in politics.

"Too long thy bards have cast their lance behind" writes our author but we must confess ourselves to a predilection for Macaulay's *Lays of Ancient Rome* above *The Progress of England*. Macaulay did not allow his statesmanship to trespass on his poetry nor his imagination to make havoc of his statesmanship and the consequence was that he wrote some excellent verses as well as gained great administrative success. We could wish in the same way that the writer of *The Progress of England* had elected to be tried either as a poet or as a politician. In endeavouring to combine the two characters his identity is lost and Proteus like he eludes our grasp. But the double character is preserved throughout. To the poem itself are appended Notes, couched in more intelligible if not less impracticable prose. And indeed we are not sure that if a trifle less extravagant, these notes would not be the best part of the book.

Nearly one fourth of the poem relates to this country, and as the author has published a special *Indian* edition we shall content ourselves with sketching this portion of the work as a fair sample of the whole. The subject is introduced by an appeal to English adventurers to help to "weave The threads ' of that Imperial garment wide That England robes with " Our rule in India is compared with that in a native State.

" where all alike  
 " Must bow to one, who fears himself the sword  
 " With which despair her tyrant foes does strike,  
 " Where blood still falls in petty quarrels poured,  
 " And all that wealth is in the palace stored  
 " Which through the land should circulate, and power,  
 " Capricious ev'n in justice, reigns adored  
 ' Where unseen woman with an unsafe dower,  
 " Dreams of no hope nor sphere beyond her nuptial bower '

And after enumerating the evils of the native government of those "robber kings, who govern not but prey Upon the states they shadow," the writer asks —

"Deem ye that conquest is a nation's sin  
 " When such as these are brought beneath a rule  
 " That raises all, that progress still should pin  
 " Her faith to old traditions that no fool  
 " Must ever 'gainst his will be sent to school?  
 " But apathetic slaves should still be free "

And thus declaring and defending the doctrine of annexation, the author bestows a graceful and not altogether unmerited tribute on its greatest master, Lord Dalhousie

" the resolute strong heart,  
 " The judgment calm the soul no cares could tame  
 Or slights induce to waver or depart  
 " From the clear course laid down by conscience on her chart, —  
 " That knew both what to claim and what concede  
 " That sought not conquest for itself, nor feared  
 " To crush for ever all that dared make bleed  
 ' One British bosom he who earliest reared  
 ' O'er India as a whole that flag endeared  
 " To more than Britons now that yet shall wave  
 " As dear to Indian eyes when time has cleared  
 ' Away their fear, that heirloom of the slave,  
 " And England weeps in shame beside Dalhousie's grave "

India's future is then discussed — the star of hope that shines upon her under England's enlightened Government. Peace and prosperity, social progress and intellectual freedom, these are the blessings promised to the country while England sends forth her thinkers "mind creating mind." Statesmen and poets are to dwell together in the Himalaya, and colonise Cashmere,

" Buy back the soil that, in an hour of fear,  
 " Cold prudence bartered to unworthy hands ,  
 " And thence defend her plains, and settle where she stands "

The suggestions in the Note on our policy in India are valuable, except so far as they are based on that impracticable re-arrangement of territorial divisions of which we have already spoken. It is indeed the greatest defect of the book before us that the writer instead of accepting the realities around him, will ever be striving to create a Utopia of his own. India, for instance, he would divide into three new Presidencies Hindustan, East India, and the Deccan each with its own subordinate administrations. The capital of Hindustan is to be situated in the Dehra Dhoon, and of the Deccan at Bangalore. We are not told where the capital of East India is to be and it would be contrary to our experience of the author to imagine that for that reason it is to remain at Calcutta. But it is obviously a loss of time to waste further words on this impracticable scheme.

As for the poetry of the book the ample extracts we have already given, afford a fair specimen of the writer's style. We could certainly have wished that it had had the advantage of that careful revision which the author determined not to give it for in some places not only is the style slipshod but the sense is barely intelligible. Take for instance such lines as these —

" in the grandest land  
 " *For which the souls of ocean court the winds* "  
 " To that unfettered sin the charlatan extols "  
St 48  
 " With which despair her tyrant foes *does* strike "  
St 50

The insertion of the " but " in the following seems to us to spoil the sense of the passage entirely

" And, half disarmed, ev'n caste binds with *but* slackened  
 chains "  
St 56

Nor can we account for the construction any more than for the obscure meaning of these lines —

" Though England grieves over *unhidden* sin,  
 ' The greater surface to reflect the light  
 The greater shade behind her larger side is bright "  
St 65

One stanza has a line in excess, and the fault did not escape the author's notice, but he would not correct it, he tells us in a footnote, as the removal of the line " would spoil a stanza

"which is better than the average of others in the book" Now we object to these attempts to disarm criticism. If a thing is worth doing at all, it is worth doing well, and if *The Progress of England* was worth publishing, the writer was bound to see that it conformed to the rules of prosody and syntax. There is no excuse for the man who sees his error and persists in it. When an author trespasses on the attention of the public, the public has a right to expect that he will give of his best and it is an insult to that public for the author to admit that it might have been better. No excuse what ever can palliate the offence in such case. He would be rightly served if the public taking him at his word were content to wait for a *revised* edition. That our readers however, may judge of the estimate at which the author of *The Progress of England* rates the merits of his own work we shall conclude this notice by giving at full length the objectionable stanza which has led to these remarks

' Grand in not causeless vanity that seeks  
 ' On all earth's coins her images to stamp  
 " And rule if not by force by fashion's freaks  
 ' France loves the flash of steel the column's tramp  
 " Marching to music the wide stretching camp  
 " Bright painted war ships, that with sails and steam  
 " Breasting the wavelets proud'y shade the deep,—  
 ' All that can feed a hope no doubts can damp  
 " The thirst for fruitless fame that will not sleep  
 ' But ever spurs her on, to conquer but not keep '

St 110

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- 3 *The History of the British Empire in India from the appointment of Lord Hardinge to the political extinction of the East India Company, forming a sequel to Thornton's History of India* By Lionel James Trotter late of the 2nd Bengal Fusiliers In two Vols Vol II London Wm H Allen & Co 1866

THE first volume of Mr Trotter's History was noticed in our pages not a year ago and we have now to announce the publication of the second. The present volume treats of Lord Canning's Government, and is mainly occupied with a narrative of the stirring events of the mutiny, but confined as it is to the mere relation of facts it merits no more than a passing notice at our hands. A more intricate and exhaustive criticism on that portion of Indian history we reserve till the publication of the next volume of Mr Kaye's *Sepoy War*.

The harrowing scenes and complications of the mutiny, the cruel terrors of that unhappy time, and the cruel campaigns of the avenging army, are fully, faithfully, and graphically described in the volume before us. It is in fact one series of battles of sieges of assaults, and unfortunately of massacres also. And the author's estimate of the great leaders in that fearful crisis is generally as fair and impartial as the description of the scenes in which they participated is accurately portrayed. Poor Sir Hugh Wheeler is not branded as a knave and a coward, because he suddenly found himself placed in an emergency for which his advancing years unfitted him. On the other hand, there is no attempt at palliation of the lamentable want of timely energy proved to have been exhibited by Lord Canning and his advisers at the outbreak of the mutiny. Mischief was everywhere brewing but the great men of Calcutta, lapt in the languor of a tropical summer and official self complacency, mistook the faint sounds that sometimes fell upon their ears for the farewell rumblings of a storm already past. 'By the middle of May however even Government House had been shocked into healthier action by the tidings telegraphed down from Agra. Yet 'all excuses fairly weighed it seems absurd to believe that the whole strength all the vast the varied resources of a great Eastern Government were employed in the raising of results so pitifully small. A Neill a Lawrence, or an Edwardes would have made short work with those other difficulties which debarred the Indian Government from doing its duty at the rate of more than twenty soldiers a day.' 'A wiser quicker statesman than Lord Canning would have begun collecting his reinforcements some weeks sooner at any rate after the news of the mutinous 7th Oude Infantry had reached him on the 4th of May. Yet even had he acted with proper boldness from the middle of the month what scenes of black disaster might never have taken place at Cawnpore Allahabad and other stations neighbouring Lucknow! But the Governor General was always by nature slow to move out of his regular orbit.

There are some few points however in which we are unable to endorse the opinions expressed by Mr Trotter. We think his estimate of Sir Henry Havelock's character not more ungenerous than unjust. We cannot regard it as a sin that he assumed his proper command in the army at Allahabad, even though in doing so he had to displace a Neill. His conduct indeed was the most usual and the most fitting to pursue. Outram's noble generosity in allowing Havelock to lead the relief column against Lucknow, after having thrice attempted



to advance in vain, is an exceptional case and cannot fairly be compared with Havelock's conduct at Allahabad, and if it could, there are few men who would abide the test by such a standard of self denial. It may be true that Havelock was extravagantly worshipped in those days, but it is a thankless task to set to pull down the hero from the altar of popular affection. History will no doubt rate the merits of both the man and the general at their true worth, but no historian is justified in needlessly maligning one whom he acknowledges to have been both a great general and a good man.

It would appear however, that Neill is the hero whom Mr Trotter worships with almost blind admiration. This is the manner, for instance, in which he speaks of what must always remain the greatest blot on that great General's fame—a stain indelible which no number of Brahmins and Rajputs could ever succeed in washing out. 'The slaughter house itself, in which "the blood of the Nana's victims still lay two inches deep, was "cleansed in part at least by some of those who had evidently "borne a share active or passive in the cruel butchery of the 10th "of July. Each of the rebel ringleaders as he fell into Neill's hands "was forced by way of prelude to his own hanging to clean up a "certain space of the blood reeking floor. If any high caste "scoundrel demurred to this piece of natural, fair if somewhat "startling revenge on the plea of lasting ruin to his own soul "his scruples were soon relieved by the threat of a sound flogging. 'Neill's aim being to strike a wholesome terror among these "'rebels by this mode of punishing men concerned in a "'revolting cowardly, barbarous deed' he cared as little for the sufferers private superstitions as for the mawkish wailing of "those English critics who charged with needless cruelty one "of the bravest least cruel of a brave and merciful race."

It is satisfactory to find that the campaign of Sir Hugh Rose in Central India has been reckoned at its true worth in the volume before us. In comparison with the more exciting, because more personal scenes of Delhi and Lucknow there has always been a fear lest the exploits of the Central India Force should fail to receive their full meed of praise. In that memorable year when every column flushed with success covered itself with glory, when every individual Englishman not merely did his duty, but fought like a hero it is no less difficult than ungracious to institute comparisons between different men and armies. But as regards the Central India column all, we think, will agree in the justice of the following remarks upon its campaign. 'A campaign,' writes Mr Trotter, 'which for the quick succession of telling blows, for the completeness of the victories, the

"greatness of the odds encountered, of the difficulties overcome, for the skill, the hardihood, the untiring pluck displayed alike by officers and men, takes rank among the finest master pieces of modern warfare. If the conquest of Delhi was a miracle of heroic daring, if the final capture of Lucknow, in attesting the triumphs of bold engineering, and skilful gunnery, seemed almost to justify the popular belief in Lord Clyde's strategic prowess, Sir Hugh Rose's triumphant march from Bombay to Gwalior while it trod close on the former achievement in respect of soldierly endurance raised its leader at one bound far above the generalship of Lord Clyde on to a level with some of the first names in the military annals of all times."

The following summary of Lord Canning's character will probably be generally acquiesced in. In the six years of his Indian Government Lord Canning had gone through a whole life time of experience at once strange awful unforeseen. Few men so circumstanced would have come out of the ordeal with greater credit many would not have come out half so well.

While he was yet new to his work before he had learnt to swim without help from his official bladders the successor of Lord Dalhousie had to battle with a storm which even the might of a Dalhousie could not have easily overcome. If none of them around him saw what was lowering his own blindness, however unfortunate need not be reckoned much to his dispraise. After the storm had burst indeed a quicker, clearer intellect would at once have felt the danger have risen to the occasion. Dalhousie would have checked the mutiny in its spring but Lord Canning was no Dalhousie only an upright high minded English gentleman of average talent very slow perceptions and unbending firmness. No man could cleave more tightly to a purpose once framed but few men were ever slower in mastering the preliminary details. Once let him see the way he ought to go and nothing mortal could make him swerve from it. There is no finer scene in Indian history than that where the last of the Company's Viceroys stands forth calm in the strength of his righteous purpose stately in the pride of place and patrician training amidst a roaring sea of hostile criticism lashed into ever wilder rage by the blasts of an armed rebellion. Against that seeming marble the whole strength of popular ill feeling the maddest utterances of British fury burning for a boundless blindly heathenish revenge fret and worry them selves in vain. Like the captive tied to the stake, he may feel but will never flinch under the blows and taunts of his "savage persecutors."

4 *Travels in the Mogul Empire* by Francis Bernier Translated from the French by Irving Brock In two volumes Calcutta, R. C. Lepage & Co

THIS is a welcome re-appearance of an old friend Clothed in a couple of neat handy volumes composed of good paper and a clean type Bernier is if possible more charming and attractive than ever In his elegant cover he seems to invite the reader to choose him for a companion in the railway carriage the steamboat or in the after dinner easy chair and we recommend those who have not yet made his acquaintance to accept the invitation

Bernier's *Travels* have never failed to interest the general reader since their original publication two hundred years ago while for the purposes of history they can scarcely be over estimated An eye witness for the most part of the events he describes the author may be relied on as an accurate and instructive chronicler of his own times while in India His account of the struggle for the empire between the four sons of Shahjehan, even during the life time of that infirm and unfortunate monarch, and the narrative of Aurungzebe's expedition to Cashmere, in which Bernier was attached to the suite of a high noble of the State, are life like representations of what actually took place They further possess this peculiar merit that being written by a foreigner totally disconnected with any political party the information we derive from them is not more interesting than it is—a point of special importance in the East—impartial and authentic Besides the above the present volumes also contain Bernier's letter to the French minister Colbert descriptive of the "government of India, its pecuniary resources its military strength, and its immense expenditure" another letter containing a description of the great cities of Delhi and Agra with details illustrative of the Mogul Court and a brief account of the customs and superstitions of the Hindus The whole is rendered even more attractive by a style at once simple and lively, richly interspersed with quaint anecdote

We are glad to find Messrs Lepage and Co so ready to follow the example set by Mr Higginbotham of Madras in re-producing some of the early standard literature connected with the history of this country We trust that the present volume will soon be followed by other similar works many of which are well worthy of republication The enterprising publishers will perhaps, however forgive us if we suggest that future editions should be more carefully edited than Bernier's *Travels* would appear to have been There is scarcely a single

page in the book free from some gross typographical blunder which tends to disfigure the otherwise elegant appearance of the book. It was no doubt quite proper to preserve the antiquated spelling of the original translator and this is not the point with which we find fault. It is however after all but a slight defect and we sincerely trust that Messrs Lepage and Co's enterprise will receive the hearty and substantial support of the public and that they will be thereby encouraged to extend this new library of standard Anglo-Indian literature

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5 *The Eastern Hunters* By Captain J T Newall Author of  
John Neville Soldier Sportsman and Gentleman '  
With Illustrations London Tinsley Brothers 1866

As a narrative of adventure and sport this book is superior to the average of its class though by no means free from the faults that usually attend that style of literature. It does not affect an exaggerated and unreal strain it is pretty free from ridiculous bombast and it is written for the most part in tolerably good English. It is moreover well got up in a thick octavo volume (far too heavy for such light reading) with a large clean type and some illustrations.

The subject treats of the adventures of three officers during a month's leave among the wilds of Rajputana or Central India. As is usual in James' novels the three heroes are introduced to us on horseback riding in the gloam of the evening and having of course lost their way. But fortunately they find their camp before the end of the chapter and the work of destruction begins in the following morning. To give any idea of the various expeditions made by the hunters day after day we should have to transcribe a great portion of Captain Newall's book. Their bag is perhaps not immoderately large for a work of fiction though 450 pages are occupied in the recital. For the several adventures are mixed up with so much extraneous matter that they swell to an unusual not to say tedious length. Each incident leads to a wearisome amount of conversation, relevant and irrelevant among the actors a conversation moreover couched in a conventional slang which, we suppose is popular among officers of Captain Newall's stamp. We really have very little interest in the colour of Miss Verney's hair when accompanying our heroes on the track of their first Bruin nor do we care to be pulled up by a dissertation on buried cities, which does not

pretend to teach us anything. There may be readers of the class who devour railway novels with avidity and never seem as if they could satisfy their maw to whom Captain Newall's style of writing may seem the perfection of literary ability. But for ourselves we should prefer to have had the adventures told more in the style of Sir Samuel Baker in fewer sentences more pithy and more graphic. In the present volume the spirit is so diluted that the mixture is to our taste weak and insipid. The anecdotes too with which *The Eastern Hunters* is plentifully and agreeably interspersed might yet have had a larger measure of originality.

Some of the adventures are no doubt well worth telling more particularly as their accuracy is vouched for by the author. We extract the following exciting incident as a specimen of Captain Newall's style.

His rifle was quickly brought to bear and he let drive ' both barrels in rapid succession rolling the tiger over but it immediately recovered itself springing up roaring with rage ' and pain and catching a sight of his adversary on the rock faced bank above came bounding towards him over the ' boulders and stones at the foot of the low cliff on which " Hawkes stood. The hunter seized his second gun and poured ' in its contents as the tiger came on but without the effect of stopping its headlong charge. The beast reached the base of ' the rocky height and making a desperate spring managed to gain a hold with its fore paws on the top but its flat and ' slippery face presented nothing on which to fix his hind feet ' or give it purchase to assist in dragging itself bodily to the top. As Hawkes turned to seize his third gun from the atten- " dant he perceived that individual some distance in the rear " racing with full power on towards the nearest tree. It was " too late for him to follow suit retreat was now out of the ' question so he clubbed his gun and brought it down with ' force on the head of the tiger as it rested snarling between its paws within a few feet of the striker. The beast winced but " did not let go hold indeed appeared to redouble its efforts to ' effect a lodgment. The stock flew into splinters as it came in contact with the hard skull of the tiger but Hawkes conti- ' nued to belabour him with the barrels. He laid on with a ' will but the result was yet doubtful. Despite the desperate ' blows the beast maintained his position and had he not been weakened by his wounds would probably have made good his object.

All this time it had been growling with rage depicted " in every line of its countenance. Suddenly it emitted a

' short low roar a quiver seemed to run through it, its jaws relaxed, its eyes lost their fire its hold of the rock gave way and it fell back crashing among the boulders of rock and bushes into the nullah below a distant rifle-crack accompanying its downfall

' Hurrah ! Hawkes shouted in mad excitement brandishing his gun barrels ' Hurrah ! He's cooned Yoicks ! Tally ho !

' ' Run for it For God's sake get into a tree ! shouted Norman from the other side of the nullah in eager anxious tones He may get up and be at you again by some path '

No no it's all right He's cooned ' Tul lul lul laietee ! ' and Hawkes continued to make excited demonstrations as he stood on the rock and looked over

' Get back man get back Are you mad ! Norman again shouted with much anxiety Perhaps he's only stunned I can't answer for hitting him again Run off confound you, run away will you !

It's all serene old fellow ' was the reply ' I see him lying quite still and dead as a door nail There he is under the tree

Ah ! I twig him ejaculated Norman and again the rifle spoke But this time there was no responsive roar '

Well worthy of recital are such deeds of heroic pluck and presence of mind but there is to our mind something more dramatic and ludicrous in Captain Newall's narration of them



